

By: Parker

S.B. No. 1278

A BILL TO BE ENTITLED

AN ACT

relating to an affirmative defense to prosecution for victims of certain offenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 8, Penal Code, is amended by adding Section 8.09 to read as follows:

Sec. 8.09. VICTIM OF TRAFFICKING, COMPELLING PROSTITUTION, OR FAMILY VIOLENCE. (a) It is an affirmative defense to prosecution that the actor engaged in the conduct charged because the actor was coerced, acting under duress, or reasonably feared harm as a result of being the victim of an offense:

(1) under Section 20A.02 or 43.05; or

(2) punishable under Section 22.01(b)(2).

(b) Information relevant to the identification of a defendant's status as a victim of an offense described by Subsection (a) may be offered to establish an affirmative defense under this section.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred

1 before that date.

2 SECTION 3. This Act takes effect September 1, 2025.