

By: Hall

S.B. No. 1984

A BILL TO BE ENTITLED

1 AN ACT

2 relating to certain statutes of limitations for criminal offenses,
3 including the statute of limitations for improper relationship
4 between educator and student.

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

6 SECTION 1. Article 12.01, Code of Criminal Procedure, as
7 amended by Chapters 93 (S.B. 1527), 118 (H.B. 467), 127 (H.B. 1207),
8 422 (H.B. 1769), 520 (H.B. 3025), 689 (H.B. 1506), 704 (H.B. 2019),
9 709 (H.B. 2190), 768 (H.B. 4595), 830 (H.B. 2187), 885 (H.B. 4635),
10 and 1041 (S.B. 129), Acts of the 88th Legislature, Regular Session,
11 2023, is reenacted and amended to read as follows:

12 Art. 12.01. FELONIES. Except as provided in Articles
13 12.015 and 12.03, felony indictments may be presented within these
14 limits, and not afterward:

15 (1) no limitation:

16 (A) murder and manslaughter;

17 (B) sexual assault under Section 22.011(a)(2),
18 Penal Code, or aggravated sexual assault under Section
19 22.021(a)(1)(B), Penal Code:

20 (C) sexual assault, if:

21 (i) during the investigation of the offense
22 biological matter is collected and the matter:

23 (a) has not yet been subjected to
24 forensic DNA testing; or

1 (b) has been subjected to forensic DNA
2 testing and the testing results show that the matter does not match
3 the victim or any other person whose identity is readily
4 ascertained; or
5 (ii) probable cause exists to believe that
6 the defendant has committed the same or a similar sex offense
7 against five or more victims;
8 (D) continuous sexual abuse of young child or
9 disabled individual under Section 21.02, Penal Code;
10 (E) indecency with a child under Section 21.11,
11 Penal Code;
12 (F) an offense involving leaving the scene of a
13 collision under Section 550.021, Transportation Code, if the
14 collision resulted in the death of a person;
15 (G) trafficking of persons under Section
16 20A.02(a)(7) or (8), Penal Code;
17 (H) continuous trafficking of persons under
18 Section 20A.03, Penal Code;
19 (I) compelling prostitution under Section
20 43.05(a)(2) or (3), Penal Code; [or]
21 (J) tampering with physical evidence under
22 Section 37.09(a)(1) or (d)(1), Penal Code, if:
23 (i) the evidence tampered with is a human
24 corpse, as defined by that section; or
25 (ii) the investigation of the offense shows
26 that a reasonable person in the position of the defendant at the
27 time of the commission of the offense would have cause to believe

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1 that the evidence tampered with is related to a criminal homicide
2 under Chapter 19, Penal Code;

11 (ii) during the investigation of the
12 offense biological matter is collected and the matter:

13 (a) has not yet been subjected to
14 forensic DNA testing; or

15 (b) has been subjected to forensic DNA
16 testing and the testing results show that the matter does not match
17 the victim or any other person whose identity is readily
18 ascertained;

19 (2) ten years from the date of the commission of the
20 offense:

21 (A) theft of any estate, real, personal or mixed,
22 by an executor, administrator, guardian or trustee, with intent to
23 defraud any creditor, heir, legatee, ward, distributee,
24 beneficiary or settlor of a trust interested in such estate;

25 (B) theft by a public servant of government
26 property over which the public servant exercises control in the
27 public servant's official capacity;

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1 (C) forgery or the uttering, using, or passing of
2 forged instruments;

6 (E) sexual assault, except as provided by
7 Subdivision (1) or (9) [~~(8)~~];

8 (F) arson;

9 (G) trafficking of persons under Section
10 20A.02(a)(1), (2), (3), or (4), Penal Code; [or]

11 (H) compelling prostitution under Section
12 43.05(a)(1), Penal Code; or

15 (3) seven years from the date of the commission of the
16 offense:

17 (A) misapplication of fiduciary property

18 property of a financial institution;
19 (B) fraudulent securing of document execution;
20 (C) a felony violation under Chapter 162, Tax
21 Sec 1

22 (D) false statement to obtain property or credit
23 1 Section 22, 22, Penal Code

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25 (F) credit card or debit card abuse under Section
26 ~~28, 31, 34, 35~~

27 (G) fraudulent use or possession of identifying

1 information under Section 32.51, Penal Code;

2 (H) exploitation of a child, elderly individual,

3 or disabled individual under Section 32.53, Penal Code;

4 (I) health care fraud under Section 35A.02, Penal

5 Code;

6 (J) bigamy under Section 25.01, Penal Code,

7 except as provided by Subdivision (7); or

8 (K) possession or promotion of child pornography

9 under Section 43.26, Penal Code;

10 (4) five years from the date of the commission of the

11 offense:

12 (A) theft or robbery;

13 (B) except as provided by Subdivision (5),

14 kidnapping;

15 (C) ~~(B-1)~~ except as provided by Subdivision

16 (1) or (5), burglary;

17 (D) ~~(C)~~ injury to an elderly or disabled

18 individual that is not punishable as a felony of the first degree

19 under Section 22.04, Penal Code;

20 (E) ~~(D)~~ abandoning or endangering an ~~a~~

21 ~~child,~~ elderly ~~individual,~~ or disabled individual;

22 (F) ~~(E)~~ insurance fraud;

23 (G) ~~(F)~~ assault under Section 22.01, Penal

24 Code, if the assault was committed against a person whose

25 relationship to or association with the defendant is described by

26 Section 71.0021(b), 71.003, or 71.005, Family Code;

27 (H) ~~(G)~~ continuous violence against the family

1 under Section 25.11, Penal Code; or

10 (B) subject to Subdivision (1)(L) [~~(1)(J)~~],
11 burglary under Section **30.02**, Penal Code, if the offense is
12 punishable under Subsection (d) of that section because the
13 defendant entered a habitation with the intent to commit an offense
14 described by Subdivision (1)(B) or (D) of this article or Paragraph
15 (A) of this subdivision;

16 (6) 20 years from the 18th birthday of the victim of
17 one of the following offenses:

18 (A) trafficking of a child [persons] under
19 Section 20A.02(a)(5) or (6), Penal Code; or
20 (B) sexual performance by a child under Section
21 43.25, Penal Code;

22 (7) ten years from the 18th birthday of the victim of
23 the offense:

24 (A) injury to a child under Section [22.04](#), Penal
25 Code;

26 (B) bigamy under Section 25.01, Penal Code, if
27 the investigation of the offense shows that the person, other than

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1 the legal spouse of the defendant, whom the defendant marries or
2 purports to marry or with whom the defendant lives under the
3 appearance of being married is younger than 18 years of age at the
4 time the offense is committed; or

5 (C) [~~(D)~~] abandoning or endangering a child;

6 (8) [(7)] ten years from the date the offense was
7 discovered: trafficking of a disabled individual under Section
8 20A.02(a)(5) or (6), Penal Code;

12 (10) [(9)] three years from the date of the commission
13 of the offense: all other felonies.

14 SECTION 2. The change in law made by this Act does not apply
15 to an offense if the prosecution of that offense becomes barred by
16 limitation before the effective date of this Act. The prosecution
17 of that offense remains barred as if this Act had not taken effect.

18 SECTION 3. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2025.