

1-1 By: Wu, et al. (Senate Sponsor - Huffman) H.B. No. 580  
 1-2 (In the Senate - Received from the House May 13, 2015;  
 1-3 May 19, 2015, read first time and referred to Committee on Criminal  
 1-4 Justice; May 22, 2015, reported favorably by the following vote:  
 1-5 Yeas 6, Nays 0; May 22, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Whitmire	X			
1-8 Huffman			X	
1-9 Burton	X			
1-10 Creighton	X			
1-11 Hinojosa	X			
1-12 Menéndez	X			
1-13 Perry	X			

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to the statute of limitations for aggravated assault.  
 1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-19 SECTION 1. Article 12.01, Code of Criminal Procedure, is  
 1-20 amended to read as follows:  
 1-21 Art. 12.01. FELONIES. Except as provided in Article 12.03,  
 1-22 felony indictments may be presented within these limits, and not  
 1-23 afterward:  
 1-24 (1) no limitation:  
 1-25 (A) murder and manslaughter;  
 1-26 (B) sexual assault under Section 22.011(a)(2),  
 1-27 Penal Code, or aggravated sexual assault under Section  
 1-28 22.021(a)(1)(B), Penal Code;  
 1-29 (C) sexual assault, if during the investigation  
 1-30 of the offense biological matter is collected and subjected to  
 1-31 forensic DNA testing and the testing results show that the matter  
 1-32 does not match the victim or any other person whose identity is  
 1-33 readily ascertained;  
 1-34 (D) continuous sexual abuse of young child or  
 1-35 children under Section 21.02, Penal Code;  
 1-36 (E) indecency with a child under Section 21.11,  
 1-37 Penal Code;  
 1-38 (F) an offense involving leaving the scene of an  
 1-39 accident under Section 550.021, Transportation Code, if the  
 1-40 accident resulted in the death of a person;  
 1-41 (G) trafficking of persons under Section  
 1-42 20A.02(a)(7) or (8), Penal Code; or  
 1-43 (H) continuous trafficking of persons under  
 1-44 Section 20A.03, Penal Code;  
 1-45 (2) ten years from the date of the commission of the  
 1-46 offense:  
 1-47 (A) theft of any estate, real, personal or mixed,  
 1-48 by an executor, administrator, guardian or trustee, with intent to  
 1-49 defraud any creditor, heir, legatee, ward, distributee,  
 1-50 beneficiary or settlor of a trust interested in such estate;  
 1-51 (B) theft by a public servant of government  
 1-52 property over which he exercises control in his official capacity;  
 1-53 (C) forgery or the uttering, using or passing of  
 1-54 forged instruments;  
 1-55 (D) injury to an elderly or disabled individual  
 1-56 punishable as a felony of the first degree under Section 22.04,  
 1-57 Penal Code;  
 1-58 (E) sexual assault, except as provided by  
 1-59 Subdivision (1);  
 1-60 (F) arson;  
 1-61 (G) trafficking of persons under Section

2-1 20A.02(a)(1), (2), (3), or (4), Penal Code; or  
2-2 (H) compelling prostitution under Section  
2-3 43.05(a)(1), Penal Code;  
2-4 (3) seven years from the date of the commission of the  
2-5 offense:  
2-6 (A) misapplication of fiduciary property or  
2-7 property of a financial institution;  
2-8 (B) securing execution of document by deception;  
2-9 (C) a felony violation under Chapter 162, Tax  
2-10 Code;  
2-11 (D) false statement to obtain property or credit  
2-12 under Section 32.32, Penal Code;  
2-13 (E) money laundering;  
2-14 (F) credit card or debit card abuse under Section  
2-15 32.31, Penal Code;  
2-16 (G) fraudulent use or possession of identifying  
2-17 information under Section 32.51, Penal Code;  
2-18 (H) Medicaid fraud under Section 35A.02, Penal  
2-19 Code; or  
2-20 (I) bigamy under Section 25.01, Penal Code,  
2-21 except as provided by Subdivision (6);  
2-22 (4) five years from the date of the commission of the  
2-23 offense:  
2-24 (A) theft or robbery;  
2-25 (B) except as provided by Subdivision (5),  
2-26 kidnapping or burglary;  
2-27 (C) injury to an elderly or disabled individual  
2-28 that is not punishable as a felony of the first degree under Section  
2-29 22.04, Penal Code;  
2-30 (D) abandoning or endangering a child; or  
2-31 (E) insurance fraud;  
2-32 (5) if the investigation of the offense shows that the  
2-33 victim is younger than 17 years of age at the time the offense is  
2-34 committed, 20 years from the 18th birthday of the victim of one of  
2-35 the following offenses:  
2-36 (A) sexual performance by a child under Section  
2-37 43.25, Penal Code;  
2-38 (B) aggravated kidnapping under Section  
2-39 20.04(a)(4), Penal Code, if the defendant committed the offense  
2-40 with the intent to violate or abuse the victim sexually; or  
2-41 (C) burglary under Section 30.02, Penal Code, if  
2-42 the offense is punishable under Subsection (d) of that section and  
2-43 the defendant committed the offense with the intent to commit an  
2-44 offense described by Subdivision (1)(B) or (D) of this article or  
2-45 Paragraph (B) of this subdivision;  
2-46 (6) ten years from the 18th birthday of the victim of  
2-47 the offense:  
2-48 (A) trafficking of persons under Section  
2-49 20A.02(a)(5) or (6), Penal Code;  
2-50 (B) injury to a child under Section 22.04, Penal  
2-51 Code;  
2-52 (C) compelling prostitution under Section  
2-53 43.05(a)(2), Penal Code; or  
2-54 (D) bigamy under Section 25.01, Penal Code, if  
2-55 the investigation of the offense shows that the person, other than  
2-56 the legal spouse of the defendant, whom the defendant marries or  
2-57 purports to marry or with whom the defendant lives under the  
2-58 appearance of being married is younger than 18 years of age at the  
2-59 time the offense is committed; or  
2-60 (7) three years from the date of the commission of the  
2-61 offense:  
2-62 (A) aggravated assault; and  
2-63 (B) all other felonies not otherwise specified by  
2-64 this article.  
2-65 SECTION 2. Article 12.03(d), Code of Criminal Procedure, is  
2-66 amended to read as follows:  
2-67 (d) Any [~~Except as otherwise provided by this chapter, any~~]  
2-68 offense that bears the title "aggravated" shall carry the same  
2-69 limitation period as the primary crime if a limitation period has

3-1 not otherwise been specifically provided for the aggravated offense  
3-2 under another provision of this chapter.

3-3 SECTION 3. The change in law made by this Act does not apply  
3-4 to an offense if the prosecution of that offense becomes barred by  
3-5 limitation before the effective date of this Act. The prosecution  
3-6 of that offense remains barred as if this Act had not taken effect.

3-7 SECTION 4. This Act takes effect September 1, 2015.

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