

1-1 By: Meyer (Senate Sponsor - Parker) H.B. No. 1506
 1-2 (In the Senate - Received from the House May 3, 2023;
 1-3 May 5, 2023, read first time and referred to Committee on Criminal
 1-4 Justice; May 19, 2023, reported favorably by the following vote:
 1-5 Yeas 7, Nays 0; May 19, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

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

1-17 relating to the statute of limitations for the offense of
 1-18 abandoning or endangering a child.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Article 12.01, Code of Criminal Procedure, is
 1-21 amended to read as follows:

1-22 Art. 12.01. FELONIES. Except as provided in Article 12.03,
 1-23 felony indictments may be presented within these limits, and not
 1-24 afterward:

1-25 (1) no limitation:

1-26 (A) murder and manslaughter;

1-27 (B) sexual assault under Section 22.011(a)(2),
 1-28 Penal Code, or aggravated sexual assault under Section
 1-29 22.021(a)(1)(B), Penal Code;

1-30 (C) sexual assault, if:

1-31 (i) during the investigation of the offense
 1-32 biological matter is collected and the matter:

1-33 (a) has not yet been subjected to
 1-34 forensic DNA testing; or

1-35 (b) has been subjected to forensic DNA
 1-36 testing and the testing results show that the matter does not match
 1-37 the victim or any other person whose identity is readily
 1-38 ascertained; or

1-39 (ii) probable cause exists to believe that
 1-40 the defendant has committed the same or a similar sex offense
 1-41 against five or more victims;

1-42 (D) continuous sexual abuse of young child or
 1-43 disabled individual under Section 21.02, Penal Code;

1-44 (E) indecency with a child under Section 21.11,
 1-45 Penal Code;

1-46 (F) an offense involving leaving the scene of an
 1-47 accident under Section 550.021, Transportation Code, if the
 1-48 accident resulted in the death of a person;

1-49 (G) trafficking of persons under Section
 1-50 20A.02(a)(7) or (8), Penal Code;

1-51 (H) continuous trafficking of persons under
 1-52 Section 20A.03, Penal Code; or

1-53 (I) compelling prostitution under Section
 1-54 43.05(a)(2), Penal Code;

1-55 (2) ten years from the date of the commission of the
 1-56 offense:

1-57 (A) theft of any estate, real, personal or mixed,
 1-58 by an executor, administrator, guardian or trustee, with intent to
 1-59 defraud any creditor, heir, legatee, ward, distributee,
 1-60 beneficiary or settlor of a trust interested in such estate;

1-61 (B) theft by a public servant of government

2-1 property over which the public servant exercises control in the
 2-2 public servant's official capacity;
 2-3 (C) forgery or the uttering, using, or passing of
 2-4 forged instruments;
 2-5 (D) injury to an elderly or disabled individual
 2-6 punishable as a felony of the first degree under Section 22.04,
 2-7 Penal Code;
 2-8 (E) sexual assault, except as provided by
 2-9 Subdivision (1) or (7);
 2-10 (F) arson;
 2-11 (G) trafficking of persons under Section
 2-12 20A.02(a)(1), (2), (3), or (4), Penal Code; or
 2-13 (H) compelling prostitution under Section
 2-14 43.05(a)(1), Penal Code;
 2-15 (3) seven years from the date of the commission of the
 2-16 offense:
 2-17 (A) misapplication of fiduciary property or
 2-18 property of a financial institution;
 2-19 (B) fraudulent securing of document execution;
 2-20 (C) a felony violation under Chapter 162, Tax
 2-21 Code;
 2-22 (D) false statement to obtain property or credit
 2-23 under Section 32.32, Penal Code;
 2-24 (E) money laundering;
 2-25 (F) credit card or debit card abuse under Section
 2-26 32.31, Penal Code;
 2-27 (G) fraudulent use or possession of identifying
 2-28 information under Section 32.51, Penal Code;
 2-29 (H) exploitation of a child, elderly individual,
 2-30 or disabled individual under Section 32.53, Penal Code;
 2-31 (I) health care fraud under Section 35A.02, Penal
 2-32 Code; or
 2-33 (J) bigamy under Section 25.01, Penal Code,
 2-34 except as provided by Subdivision (6);
 2-35 (4) five years from the date of the commission of the
 2-36 offense:
 2-37 (A) theft or robbery;
 2-38 (B) except as provided by Subdivision (5),
 2-39 kidnapping or burglary;
 2-40 (C) injury to an elderly or disabled individual
 2-41 that is not punishable as a felony of the first degree under Section
 2-42 22.04, Penal Code; or
 2-43 (D) ~~[abandoning or endangering a child; or~~
 2-44 ~~[~~(E)~~] insurance fraud;~~
 2-45 (5) if the investigation of the offense shows that the
 2-46 victim is younger than 17 years of age at the time the offense is
 2-47 committed, 20 years from the 18th birthday of the victim of one of
 2-48 the following offenses:
 2-49 (A) sexual performance by a child under Section
 2-50 43.25, Penal Code;
 2-51 (B) aggravated kidnapping under Section
 2-52 20.04(a)(4), Penal Code, if the defendant committed the offense
 2-53 with the intent to violate or abuse the victim sexually; or
 2-54 (C) burglary under Section 30.02, Penal Code, if
 2-55 the offense is punishable under Subsection (d) of that section and
 2-56 the defendant committed the offense with the intent to commit an
 2-57 offense described by Subdivision (1)(B) or (D) of this article or
 2-58 Paragraph (B) of this subdivision;
 2-59 (6) ten years from the 18th birthday of the victim of
 2-60 the offense:
 2-61 (A) trafficking of persons under Section
 2-62 20A.02(a)(5) or (6), Penal Code;
 2-63 (B) injury to a child under Section 22.04, Penal
 2-64 Code; ~~[or]~~
 2-65 (C) bigamy under Section 25.01, Penal Code, if
 2-66 the investigation of the offense shows that the person, other than
 2-67 the legal spouse of the defendant, whom the defendant marries or
 2-68 purports to marry or with whom the defendant lives under the
 2-69 appearance of being married is younger than 18 years of age at the

3-1 time the offense is committed; or
3-2 (D) abandoning or endangering a child;
3-3 (7) two years from the date the offense was
3-4 discovered: sexual assault punishable as a state jail felony under
3-5 Section 22.011(f)(2), Penal Code; or
3-6 (8) three years from the date of the commission of the
3-7 offense: all other felonies.

3-8 SECTION 2. Article 12.01, Code of Criminal Procedure, as
3-9 amended by this Act, does not apply to an offense if the prosecution
3-10 of that offense becomes barred by limitation before the effective
3-11 date of this Act. The prosecution of that offense remains barred as
3-12 if this Act had not taken effect.

3-13 SECTION 3. To the extent of any conflict, this Act prevails
3-14 over another Act of the 88th Legislature, Regular Session, 2023,
3-15 relating to nonsubstantive additions to and corrections in enacted
3-16 codes.

3-17 SECTION 4. This Act takes effect September 1, 2023.

3-18 * * * * *