

1-1 By: Hull, et al. (Senate Sponsor - Huffman) H.B. No. 1422
1-2 (In the Senate - Received from the House May 15, 2025;
1-3 May 16, 2025, read first time and referred to Committee on Criminal
1-4 Justice; May 23, 2025, reported favorably by the following vote:
1-5 Yeas 7, Nays 0; May 23, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Flores	X		
1-9	Parker	X		
1-10	Hagenbuch	X		
1-11	Hinojosa of Hidalgo	X		
1-12	Huffman	X		
1-13	King	X		
1-14	Miles	X		

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

1-17 relating to the rights of victims of sexual assault and other sex
1-18 offenses, the offense of continuous sexual abuse, and the
1-19 prosecution, punishment, and collateral consequences of certain
1-20 sex offenses; creating a criminal offense; increasing criminal
1-21 penalties; changing the eligibility for community supervision,
1-22 mandatory supervision, and parole for persons convicted of certain
1-23 sex offenses.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 42A.054(a), Code of Criminal Procedure,
1-26 is amended to read as follows:

1-27 (a) Article 42A.053 does not apply to a defendant adjudged
1-28 guilty of an offense under:

1-29 (1) Section 15.03, Penal Code, if the offense is
1-30 punishable as a felony of the first degree;

1-31 (2) Section 19.02, Penal Code (Murder);

1-32 (3) Section 19.03, Penal Code (Capital Murder);

1-33 (4) Section 20.04, Penal Code (Aggravated
1-34 Kidnapping);

1-35 (5) Section 20A.02, Penal Code (Trafficking of
1-36 Persons);

1-37 (6) Section 20A.03, Penal Code (Continuous
1-38 Trafficking of Persons);

1-39 (6-a) Section 21.03, Penal Code (Continuous Sexual
1-40 Abuse);

1-41 (7) Section 21.11, Penal Code (Indecency with a
1-42 Child);

1-43 (8) Section 22.011, Penal Code (Sexual Assault);

1-44 (9) Section 22.021, Penal Code (Aggravated Sexual
1-45 Assault);

1-46 (10) Section 22.04(a)(1), Penal Code (Injury to a
1-47 Child, Elderly Individual, or Disabled Individual), if:

1-48 (A) the offense is punishable as a felony of the
1-49 first degree; and

1-50 (B) the victim of the offense is a child;

1-51 (11) Section 29.03, Penal Code (Aggravated Robbery);

1-52 (12) Section 30.02, Penal Code (Burglary), if:

1-53 (A) the offense is punishable under Subsection
1-54 (d) of that section; and

1-55 (B) the actor committed the offense with the
1-56 intent to commit a felony under Section 21.02, 21.03, 21.11,
1-57 22.011, 22.021, or 25.02, Penal Code;

1-58 (13) Section 43.04, Penal Code (Aggravated Promotion
1-59 of Prostitution);

1-60 (14) Section 43.05, Penal Code (Compelling
1-61 Prostitution);

- 2-1 (15) Section 43.25, Penal Code (Sexual Performance by
- 2-2 a Child);
- 2-3 (16) Section 43.26, Penal Code (Possession or
- 2-4 Promotion of Child Pornography);
- 2-5 (17) Chapter 481, Health and Safety Code, for which
- 2-6 punishment is increased under:
- 2-7 (A) Section 481.140 of that code (Use of Child in
- 2-8 Commission of Offense); or
- 2-9 (B) Section 481.134(c), (d), (e), or (f) of that
- 2-10 code (Drug-free Zones) if it is shown that the defendant has been
- 2-11 previously convicted of an offense for which punishment was
- 2-12 increased under any of those subsections; or
- 2-13 (18) Section 481.1123, Health and Safety Code
- 2-14 (Manufacture or Delivery of Substance in Penalty Group 1-B), if the
- 2-15 offense is punishable under Subsection (d), (e), or (f) of that
- 2-16 section.

2-17 SECTION 2. Article 42A.102(b), Code of Criminal Procedure,

2-18 is amended to read as follows:

2-19 (b) In all other cases, the judge may grant deferred

2-20 adjudication community supervision unless:

2-21 (1) the defendant is charged with an offense:

2-22 (A) under Section 20A.02, 20A.03, 49.045, 49.05,

2-23 49.061, 49.065, 49.07, or 49.08, Penal Code;

2-24 (B) under Section 49.04 or 49.06, Penal Code,

2-25 and, at the time of the offense:

2-26 (i) the defendant held a commercial

2-27 driver's license or a commercial learner's permit; or

2-28 (ii) the defendant's alcohol concentration,

2-29 as defined by Section 49.01, Penal Code, was 0.15 or more;

2-30 (C) for which punishment may be increased under

2-31 Section 49.09, Penal Code;

2-32 (D) for which punishment may be increased under

2-33 Section 481.134(c), (d), (e), or (f), Health and Safety Code, if it

2-34 is shown that the defendant has been previously convicted of an

2-35 offense for which punishment was increased under any one of those

2-36 subsections; or

2-37 (E) under Section 481.1123, Health and Safety

2-38 Code, that is punishable under Subsection (d), (e), or (f) of that

2-39 section;

2-40 (2) the defendant:

2-41 (A) is charged with an offense under Section

2-42 21.11, 22.011, 22.021, 43.04, or 43.05, Penal Code, regardless of

2-43 the age of the victim, or a felony described by Article 42A.453(b),

2-44 other than a felony described by Subdivision (1)(A) or (3)(B) of

2-45 this subsection; and

2-46 (B) has previously been placed on community

2-47 supervision for an offense under Paragraph (A);

2-48 (3) the defendant is charged with an offense under:

2-49 (A) Section 21.02, Penal Code; ~~or~~

2-50 (B) Section 21.03, Penal Code; or

2-51 (C) Section 22.021, Penal Code, that is

2-52 punishable under Subsection (f) of that section or under Section

2-53 12.42(c)(3) or (4), Penal Code; or

2-54 (4) the defendant is charged with an offense under

2-55 Section 19.02, Penal Code, except that the judge may grant deferred

2-56 adjudication community supervision on determining that the

2-57 defendant did not cause the death of the deceased, did not intend to

2-58 kill the deceased or another, and did not anticipate that a human

2-59 life would be taken.

2-60 SECTION 3. Article 56A.306(a), Code of Criminal Procedure,

2-61 is amended to read as follows:

2-62 (a) The department, consistent with Chapter 420, Government

2-63 Code, shall develop procedures for the transfer, ~~and~~

2-64 preservation, and testing of evidence collected during a forensic

2-65 medical examination for a sexual assault that was not reported to a

2-66 law enforcement agency, including procedures for:

2-67 (1) the transfer of the evidence to a crime laboratory

2-68 or other suitable location designated by the public safety director

2-69 of the department;

3-1 (2) the preservation of the evidence by the entity
3-2 receiving the evidence; ~~and~~

3-3 (3) the notification of the survivor ~~[victim]~~ of the
3-4 offense through the statewide electronic tracking system before a
3-5 planned destruction of evidence under this article; and

3-6 (4) forensic DNA testing performed in accordance with
3-7 the limited consent of a survivor or other authorized person, as
3-8 described by Section 420.0736, Government Code.

3-9 SECTION 4. Articles 62.001(5) and (6), Code of Criminal
3-10 Procedure, are amended to read as follows:

3-11 (5) "Reportable conviction or adjudication" means a
3-12 conviction or adjudication, including an adjudication of
3-13 delinquent conduct or a deferred adjudication, that, regardless of
3-14 the pendency of an appeal, is a conviction for or an adjudication
3-15 for or based on:

3-16 (A) a violation of Section 21.02 (Continuous
3-17 sexual abuse of young child or disabled individual), 21.03
3-18 (Continuous sexual abuse), 21.09 (Bestiality), 21.11 (Indecency
3-19 with a child), 22.011 (Sexual assault), 22.021 (Aggravated sexual
3-20 assault), or 25.02 (Prohibited sexual conduct), Penal Code;

3-21 (B) a violation of Section 43.04 (Aggravated
3-22 promotion of prostitution), 43.05 (Compelling prostitution), 43.25
3-23 (Sexual performance by a child), or 43.26 (Possession or promotion
3-24 of child pornography), Penal Code;

3-25 (B-1) a violation of Section 43.021
3-26 (Solicitation of Prostitution), Penal Code, if the offense is
3-27 punishable as a felony of the second degree;

3-28 (C) a violation of Section 20.04(a)(4)
3-29 (Aggravated kidnapping), Penal Code, if the actor committed the
3-30 offense or engaged in the conduct with intent to violate or abuse
3-31 the victim sexually;

3-32 (D) a violation of Section 30.02 (Burglary),
3-33 Penal Code, if the offense or conduct is punishable under
3-34 Subsection (d) of that section and the actor committed the offense
3-35 or engaged in the conduct with intent to commit a felony listed in
3-36 Paragraph (A) or (C);

3-37 (E) a violation of Section 20.02 (Unlawful
3-38 restraint), 20.03 (Kidnapping), or 20.04 (Aggravated kidnapping),
3-39 Penal Code, if, as applicable:

3-40 (i) the judgment in the case contains an
3-41 affirmative finding under Article 42.015; or

3-42 (ii) the order in the hearing or the papers
3-43 in the case contain an affirmative finding that the victim or
3-44 intended victim was younger than 17 years of age;

3-45 (F) the second violation of Section 21.08
3-46 (Indecent exposure), Penal Code, but not if the second violation
3-47 results in a deferred adjudication;

3-48 (G) an attempt, conspiracy, or solicitation, as
3-49 defined by Chapter 15, Penal Code, to commit an offense or engage in
3-50 conduct listed in Paragraph (A), (B), (C), (D), (E), (K), or (L);

3-51 (H) a violation of the laws of another state,
3-52 federal law, the laws of a foreign country, or the Uniform Code of
3-53 Military Justice for or based on the violation of an offense
3-54 containing elements that are substantially similar to the elements
3-55 of an offense listed under Paragraph (A), (B), (B-1), (C), (D), (E),
3-56 (G), (J), (K), or (L), but not if the violation results in a
3-57 deferred adjudication;

3-58 (I) the second violation of the laws of another
3-59 state, federal law, the laws of a foreign country, or the Uniform
3-60 Code of Military Justice for or based on the violation of an offense
3-61 containing elements that are substantially similar to the elements
3-62 of the offense of indecent exposure, but not if the second violation
3-63 results in a deferred adjudication;

3-64 (J) a violation of Section 33.021 (Online
3-65 solicitation of a minor), Penal Code;

3-66 (K) a violation of Section 20A.02(a)(3), (4),
3-67 (7), or (8) (Trafficking of persons), Penal Code; or

3-68 (L) a violation of Section 20A.03 (Continuous
3-69 trafficking of persons), Penal Code, if the offense is based partly

4-1 or wholly on conduct that constitutes an offense under Section
4-2 20A.02(a)(3), (4), (7), or (8) of that code.

4-3 (6) "Sexually violent offense" means any of the
4-4 following offenses committed by a person 17 years of age or older:

4-5 (A) an offense under Section 21.02 (Continuous
4-6 sexual abuse of young child or disabled individual), 21.03
4-7 (Continuous sexual abuse), 21.11(a)(1) (Indecency with a child),
4-8 22.011 (Sexual assault), or 22.021 (Aggravated sexual assault),
4-9 Penal Code;

4-10 (B) an offense under Section 43.25 (Sexual
4-11 performance by a child), Penal Code;

4-12 (C) an offense under Section 20.04(a)(4)
4-13 (Aggravated kidnapping), Penal Code, if the defendant committed the
4-14 offense with intent to violate or abuse the victim sexually;

4-15 (D) an offense under Section 30.02 (Burglary),
4-16 Penal Code, if the offense is punishable under Subsection (d) of
4-17 that section and the defendant committed the offense with intent to
4-18 commit a felony listed in Paragraph (A) or (C) of Subdivision (5);
4-19 or

4-20 (E) an offense under the laws of another state,
4-21 federal law, the laws of a foreign country, or the Uniform Code of
4-22 Military Justice if the offense contains elements that are
4-23 substantially similar to the elements of an offense listed under
4-24 Paragraph (A), (B), (C), or (D).

4-25 SECTION 5. Section 420.0735, Government Code, is amended by
4-26 adding Subsection (g) to read as follows:

4-27 (g) The reason or purpose for the release of evidence
4-28 described by Subsection (d)(2) may be limited to permit only the
4-29 acts of forensic DNA testing by the department in the manner
4-30 provided by Section 420.0736, regardless of whether a report of the
4-31 applicable offense is made to a law enforcement agency.

4-32 SECTION 6. Subchapter D, Chapter 420, Government Code, is
4-33 amended by adding Section 420.0736 to read as follows:

4-34 Sec. 420.0736. LIMITED CONSENT FOR DNA TESTING OF CERTAIN
4-35 EVIDENCE. (a) To encourage the reporting of sexual assaults or
4-36 other sex offenses that would otherwise remain unreported and
4-37 notwithstanding Sections 420.0431 and 420.0432, a survivor or other
4-38 person authorized to consent to the release of evidence contained
4-39 in an evidence collection kit under Section 420.0735 may choose to
4-40 limit the scope of the consent under that section to only permit,
4-41 without regard to whether a report of the offense is made to a law
4-42 enforcement agency, the performance of forensic DNA testing by the
4-43 department on biological evidence contained in the evidence
4-44 collection kit.

4-45 (b) The department by rule shall adopt a form to enable a
4-46 survivor or other authorized person to provide the limited consent
4-47 described by this section. The form must include the following
4-48 statement: "IT IS NOT NECESSARY TO REPORT AN OFFENSE TO A LAW
4-49 ENFORCEMENT AGENCY IN ORDER TO OBTAIN FORENSIC DNA TESTING OF
4-50 BIOLOGICAL EVIDENCE COLLECTED DURING YOUR FORENSIC MEDICAL
4-51 EXAMINATION. HOWEVER, IF YOU AUTHORIZE FORENSIC DNA TESTING OF THE
4-52 BIOLOGICAL EVIDENCE COLLECTED DURING YOUR EXAMINATION WITHOUT
4-53 REPORTING THE OFFENSE TO LAW ENFORCEMENT, ANY RESULTS OF THE
4-54 FORENSIC DNA TESTING WILL NOT BE COMPARED TO DNA PROFILES
4-55 MAINTAINED IN DNA DATABASES AND WILL NOT BE SUBJECT TO USE IN A
4-56 CRIMINAL INVESTIGATION OR TRIAL."

4-57 (c) The department shall provide to the survivor or other
4-58 authorized person who provides limited consent to forensic DNA
4-59 testing, as described by Subsection (a), the results of the
4-60 forensic DNA testing through the statewide electronic tracking
4-61 system established under Section 420.034. The department may not
4-62 notify any other entity of the results of the forensic DNA testing
4-63 and may not use those results for any other reason or purpose,
4-64 unless the department first obtains additional written consent from
4-65 the person for that reason or purpose under Section 420.0735.

4-66 (d) The department shall provide to the survivor or other
4-67 authorized person who provides limited consent to forensic DNA
4-68 testing, as described by Subsection (a), information regarding how
4-69 to report an offense to a law enforcement agency in order to have

5-1 the results of the forensic DNA testing compared to DNA profiles
 5-2 maintained in DNA databases and used in a criminal investigation or
 5-3 trial.

5-4 SECTION 7. Section 499.027(b), Government Code, is amended
 5-5 to read as follows:

5-6 (b) An inmate is not eligible under this subchapter to be
 5-7 considered for release to intensive supervision parole if:

5-8 (1) the inmate is awaiting transfer to the
 5-9 institutional division, or serving a sentence, for an offense for
 5-10 which the judgment contains an affirmative finding under Article
 5-11 42A.054(c) or (d), Code of Criminal Procedure;

5-12 (2) the inmate is awaiting transfer to the
 5-13 institutional division, or serving a sentence, for an offense
 5-14 listed in one of the following sections of the Penal Code:

- 5-15 (A) Section 19.02 (murder);
 5-16 (B) Section 19.03 (capital murder);
 5-17 (C) Section 19.04 (manslaughter);
 5-18 (D) Section 20.03 (kidnapping);
 5-19 (E) Section 20.04 (aggravated kidnapping);
 5-20 (F) Section 21.11 (indecenty with a child);
 5-21 (G) Section 22.011 (sexual assault);
 5-22 (H) Section 22.02 (aggravated assault);
 5-23 (I) Section 22.021 (aggravated sexual assault);
 5-24 (J) Section 22.04 (injury to a child, elderly
 5-25 individual, or disabled individual);
 5-26 (K) Section 25.02 (prohibited sexual conduct);
 5-27 (L) Section 25.08 (sale or purchase of a child);
 5-28 (M) Section 28.02 (arson);
 5-29 (N) Section 29.02 (robbery);
 5-30 (O) Section 29.03 (aggravated robbery);
 5-31 (P) Section 30.02 (burglary), if the offense is
 5-32 punished as a first-degree felony under that section;
 5-33 (Q) Section 43.04 (aggravated promotion of
 5-34 prostitution);
 5-35 (R) Section 43.05 (compelling prostitution);
 5-36 (S) Section 43.24 (sale, distribution, or
 5-37 display of harmful material to minor);
 5-38 (T) Section 43.25 (sexual performance by a
 5-39 child);
 5-40 (U) Section 46.10 (deadly weapon in penal
 5-41 institution);
 5-42 (V) Section 15.01 (criminal attempt), if the
 5-43 offense attempted is listed in this subsection;
 5-44 (W) Section 15.02 (criminal conspiracy), if the
 5-45 offense that is the subject of the conspiracy is listed in this
 5-46 subsection;
 5-47 (X) Section 15.03 (criminal solicitation), if
 5-48 the offense solicited is listed in this subsection;
 5-49 (Y) Section 21.02 (continuous sexual abuse of
 5-50 young child or disabled individual);
 5-51 (Z) Section 20A.02 (trafficking of persons);
 5-52 (AA) Section 20A.03 (continuous trafficking of
 5-53 persons); [~~or~~]
 5-54 (BB) Section 43.041 (aggravated online promotion
 5-55 of prostitution); or
 5-56 (CC) Section 21.03 (continuous sexual abuse); or

5-57 (3) the inmate is awaiting transfer to the
 5-58 institutional division, or serving a sentence, for an offense under
 5-59 Chapter 481, Health and Safety Code, punishable by a minimum term of
 5-60 imprisonment or a maximum fine that is greater than the minimum term
 5-61 of imprisonment or the maximum fine for a first degree felony.

5-62 SECTION 8. Section 508.145(a), Government Code, is amended
 5-63 to read as follows:

5-64 (a) An inmate is not eligible for release on parole if the
 5-65 inmate is under sentence of death, serving a sentence of life
 5-66 imprisonment without parole, or serving a sentence for any of the
 5-67 following offenses under the Penal Code:

5-68 (1) Section 20A.03, if the offense is based partly or
 5-69 wholly on conduct constituting an offense under Section

6-1 20A.02(a)(5), (6), (7), or (8);
 6-2 (2) Section 21.02;
 6-3 (3) Section 21.03;
 6-4 (4) Section 22.021, if the offense is punishable under
 6-5 Subsection (f) of that section; or
 6-6 (5) [~~4~~] Section 51.03 or 51.04.

6-7 SECTION 9. Section 508.149(a), Government Code, is amended
 6-8 to read as follows:

6-9 (a) An inmate may not be released to mandatory supervision
 6-10 if the inmate is serving a sentence for or has been previously
 6-11 convicted of:

6-12 (1) an offense for which the judgment contains an
 6-13 affirmative finding under Article 42A.054(c) or (d), Code of
 6-14 Criminal Procedure;

6-15 (2) a first degree felony or a second degree felony
 6-16 under Section 19.02, Penal Code;

6-17 (3) a capital felony under Section 19.03, Penal Code;

6-18 (4) a first degree felony or a second degree felony
 6-19 under Section 20.04, Penal Code;

6-20 (5) an offense under Section 21.11, Penal Code;

6-21 (6) a felony under Section 22.011, Penal Code;

6-22 (7) a first degree felony or a second degree felony
 6-23 under Section 22.02, Penal Code;

6-24 (8) a first degree felony under Section 22.021, Penal
 6-25 Code;

6-26 (9) a first degree felony under Section 22.04, Penal
 6-27 Code;

6-28 (10) a first degree felony under Section 28.02, Penal
 6-29 Code;

6-30 (11) a second degree felony under Section 29.02, Penal
 6-31 Code;

6-32 (12) a first degree felony under Section 29.03, Penal
 6-33 Code;

6-34 (13) a first degree felony under Section 30.02, Penal
 6-35 Code;

6-36 (14) a felony for which the punishment is increased
 6-37 under Section 481.134 or 481.140, Health and Safety Code;

6-38 (15) an offense under Section 43.25, Penal Code;

6-39 (16) an offense under Section 21.02, Penal Code;

6-40 (17) a first degree felony under Section 15.03, Penal
 6-41 Code;

6-42 (18) an offense under Section 43.05, Penal Code;

6-43 (19) an offense under Section 20A.02, Penal Code;

6-44 (20) an offense under Section 20A.03, Penal Code;

6-45 (21) a first degree felony under Section 71.02 or
 6-46 71.023, Penal Code;

6-47 (22) an offense under Section 481.1123, Health and
 6-48 Safety Code, punished under Subsection (d), (e), or (f) of that
 6-49 section;

6-50 (23) a second degree felony under Section 22.01, Penal
 6-51 Code; [~~or~~]

6-52 (24) an offense under Section 22.01, Penal Code,
 6-53 punished under Subsection (b)(2), (7), or (8) of that section; or

6-54 (25) an offense under Section 21.03, Penal Code.

6-55 SECTION 10. Section 508.151(a), Government Code, is amended
 6-56 to read as follows:

6-57 (a) For the purpose of diverting inmates to halfway houses
 6-58 under Section 508.118, a parole panel, after reviewing all
 6-59 available pertinent information, may designate a presumptive
 6-60 parole date for an inmate who:

6-61 (1) has never been convicted of an offense listed
 6-62 under Article 42A.054(a), Code of Criminal Procedure, or an offense
 6-63 under Section 21.02 or 21.03, Penal Code; and

6-64 (2) has never had a conviction with a judgment that
 6-65 contains an affirmative finding under Article 42A.054(c) or (d),
 6-66 Code of Criminal Procedure.

6-67 SECTION 11. Section 508.189(a), Government Code, is amended
 6-68 to read as follows:

6-69 (a) A parole panel shall require as a condition of parole or

7-1 mandatory supervision that a releasee convicted of an offense under
7-2 Section 21.02, 21.03, 21.08, 21.11, 22.011, 22.021, 25.02, 43.25,
7-3 or 43.26, Penal Code, pay to the division a parole supervision fee
7-4 of \$5 each month during the period of parole supervision.

7-5 SECTION 12. Section 3.03(b), Penal Code, is amended to read
7-6 as follows:

7-7 (b) If the accused is found guilty of more than one offense
7-8 arising out of the same criminal episode, the sentences may run
7-9 concurrently or consecutively if each sentence is for a conviction
7-10 of:

7-11 (1) an offense:

7-12 (A) under Section 49.07 or 49.08, regardless of
7-13 whether the accused is convicted of violations of the same section
7-14 more than once or is convicted of violations of both sections; or

7-15 (B) for which a plea agreement was reached in a
7-16 case in which the accused was charged with more than one offense
7-17 listed in Paragraph (A), regardless of whether the accused is
7-18 charged with violations of the same section more than once or is
7-19 charged with violations of both sections;

7-20 (2) an offense:

7-21 (A) under Section 33.021 or an offense under
7-22 Section 21.02, 21.11, [~~22.011, 22.021~~], 25.02, or 43.25 committed
7-23 against a victim younger than 17 years of age at the time of the
7-24 commission of the offense regardless of whether the accused is
7-25 convicted of violations of the same section more than once or is
7-26 convicted of violations of more than one section; or

7-27 (B) for which a plea agreement was reached in a
7-28 case in which the accused was charged with more than one offense
7-29 listed in Paragraph (A) committed against a victim younger than 17
7-30 years of age at the time of the commission of the offense regardless
7-31 of whether the accused is charged with violations of the same
7-32 section more than once or is charged with violations of more than
7-33 one section;

7-34 (2-a) an offense:

7-35 (A) under Section 22.011 or 22.021, regardless of
7-36 whether the accused is convicted of violations of the same section
7-37 more than once or is convicted of violations of more than one
7-38 section; or

7-39 (B) for which a plea agreement was reached in a
7-40 case in which the accused was charged with more than one offense
7-41 listed in Paragraph (A), regardless of whether the accused is
7-42 charged with violations of the same section more than once or is
7-43 charged with violations of more than one section;

7-44 (3) an offense:

7-45 (A) under Section 21.15 or 43.26, regardless of
7-46 whether the accused is convicted of violations of the same section
7-47 more than once or is convicted of violations of both sections; or

7-48 (B) for which a plea agreement was reached in a
7-49 case in which the accused was charged with more than one offense
7-50 listed in Paragraph (A), regardless of whether the accused is
7-51 charged with violations of the same section more than once or is
7-52 charged with violations of both sections;

7-53 (4) an offense for which the judgment in the case
7-54 contains an affirmative finding under Article 42.0197, Code of
7-55 Criminal Procedure;

7-56 (5) an offense:

7-57 (A) under Section 20A.02, 20A.03, or 43.05,
7-58 regardless of whether the accused is convicted of violations of the
7-59 same section more than once or is convicted of violations of more
7-60 than one section; or

7-61 (B) for which a plea agreement was reached in a
7-62 case in which the accused was charged with more than one offense
7-63 listed in Paragraph (A), regardless of whether the accused is
7-64 charged with violations of the same section more than once or is
7-65 charged with violations of more than one section;

7-66 (6) an offense:

7-67 (A) under Section 22.04(a)(1) or (2) or Section
7-68 22.04(a-1)(1) or (2) that is punishable as a felony of the first
7-69 degree, regardless of whether the accused is convicted of

8-1 violations of the same section more than once or is convicted of
 8-2 violations of more than one section; or
 8-3 (B) for which a plea agreement was reached in a
 8-4 case in which the accused was charged with more than one offense
 8-5 listed in Paragraph (A) and punishable as described by that
 8-6 paragraph, regardless of whether the accused is charged with
 8-7 violations of the same section more than once or is charged with
 8-8 violations of more than one section; or

8-9 (7) any combination of offenses listed in Subdivisions
 8-10 (1)-(6).

8-11 SECTION 13. Section 12.35(c), Penal Code, is amended to
 8-12 read as follows:

8-13 (c) An individual adjudged guilty of a state jail felony
 8-14 shall be punished for a third degree felony if it is shown on the
 8-15 trial of the offense that:

8-16 (1) a deadly weapon as defined by Section 1.07 was used
 8-17 or exhibited during the commission of the offense or during
 8-18 immediate flight following the commission of the offense, and that
 8-19 the individual used or exhibited the deadly weapon or was a party to
 8-20 the offense and knew that a deadly weapon would be used or
 8-21 exhibited; or

8-22 (2) the individual has previously been finally
 8-23 convicted of any felony:

8-24 (A) under Section 21.02 or 21.03 or listed in
 8-25 Article 42A.054(a), Code of Criminal Procedure; or

8-26 (B) for which the judgment contains an
 8-27 affirmative finding under Article 42A.054(c) or (d), Code of
 8-28 Criminal Procedure.

8-29 SECTION 14. Section 12.42(c)(2), Penal Code, is amended to
 8-30 read as follows:

8-31 (2) Notwithstanding Subdivision (1), a defendant
 8-32 shall be punished by imprisonment in the Texas Department of
 8-33 Criminal Justice for life if:

8-34 (A) the defendant is convicted of an offense:

8-35 (i) under Section 20A.02(a)(7) or (8),
 8-36 21.11(a)(1), 22.021, or 22.011, Penal Code;

8-37 (ii) under Section 20.04(a)(4), Penal Code,
 8-38 if the defendant committed the offense with the intent to violate or
 8-39 abuse the victim sexually; or

8-40 (iii) under Section 30.02, Penal Code,
 8-41 punishable under Subsection (d) of that section, if the defendant
 8-42 committed the offense with the intent to commit a felony described
 8-43 by Subparagraph (i) or (ii) or a felony under Section 21.11, Penal
 8-44 Code; and

8-45 (B) the defendant has been previously convicted
 8-46 of an offense:

8-47 (i) under Section 43.25 or 43.26, Penal
 8-48 Code, or an offense under Section 43.23, Penal Code, punishable
 8-49 under Subsection (h) of that section;

8-50 (ii) under Section 20A.02(a)(7) or (8),
 8-51 21.02, 21.03, 21.11, 22.011, 22.021, or 25.02, Penal Code;

8-52 (iii) under Section 20.04(a)(4), Penal
 8-53 Code, if the defendant committed the offense with the intent to
 8-54 violate or abuse the victim sexually;

8-55 (iv) under Section 30.02, Penal Code,
 8-56 punishable under Subsection (d) of that section, if the defendant
 8-57 committed the offense with the intent to commit a felony described
 8-58 by Subparagraph (ii) or (iii); or

8-59 (v) under the laws of another state
 8-60 containing elements that are substantially similar to the elements
 8-61 of an offense listed in Subparagraph (i), (ii), (iii), or (iv).

8-62 SECTION 15. Sections 12.502(b), (c), and (d), Penal Code,
 8-63 are amended to read as follows:

8-64 (b) Except as provided by Subsection (c), if it is shown on
 8-65 the trial of an offense under Section 21.07, 21.08, or 21.15 [~~or~~
 8-66 ~~21.17~~] that the offense was committed in a location that was on the
 8-67 premises of a postsecondary educational institution, the category
 8-68 of punishment for the offense is increased to a higher category of
 8-69 offense as follows:

9-1 (1) a Class C misdemeanor is increased to a Class B
9-2 misdemeanor;

9-3 (2) a Class B misdemeanor is increased to a Class A
9-4 misdemeanor;

9-5 (3) a Class A misdemeanor is increased to a state jail
9-6 felony; and

9-7 (4) a state jail felony is increased to a felony of the
9-8 third degree.

9-9 (c) For an offense otherwise punishable under Subsection
9-10 (b), if it is shown on the trial of the offense that the person has
9-11 been previously convicted twice of an offense under Section 21.07,
9-12 21.08, or 21.15 [~~or 21.17~~] for which the punishment was increased
9-13 under Subsection (b), the category of punishment for the offense is
9-14 increased to a higher category of offense as follows:

9-15 (1) a Class C misdemeanor is increased to a Class A
9-16 misdemeanor;

9-17 (2) a Class B misdemeanor is increased to a state jail
9-18 felony;

9-19 (3) a Class A misdemeanor is increased to a felony of
9-20 the third degree; and

9-21 (4) a state jail felony is increased to a felony of the
9-22 second degree.

9-23 (d) If the punishment scheme for an offense under Section
9-24 21.07, 21.08, or 21.15 [~~or 21.17~~] contains a specific enhancement
9-25 provision increasing punishment to a higher minimum term of
9-26 punishment than the minimum term required by the applicable higher
9-27 category of offense prescribed by Subsection (b) or (c), the
9-28 specific enhancement provision controls over this section.

9-29 SECTION 16. Section 15.031(b), Penal Code, is amended to
9-30 read as follows:

9-31 (b) A person commits an offense if, with intent that an
9-32 offense under Section 20A.02(a)(7) or (8), 21.02, 21.03, 21.11,
9-33 22.011, 22.021, 43.02, 43.021, 43.05(a)(2), or 43.25 be committed,
9-34 the person by any means requests, commands, or attempts to induce a
9-35 minor or another whom the person believes to be a minor to engage in
9-36 specific conduct that, under the circumstances surrounding the
9-37 actor's conduct as the actor believes them to be, would constitute
9-38 an offense under one of those sections or would make the minor or
9-39 other believed by the person to be a minor a party to the commission
9-40 of an offense under one of those sections.

9-41 SECTION 17. Section 15.032(b), Penal Code, is amended to
9-42 read as follows:

9-43 (b) An offense under this section is a felony of the third
9-44 degree, except that the offense is a felony of the second degree if
9-45 the actor has previously been convicted of an offense under:

9-46 (1) Chapter 20A, if the offense involved conduct
9-47 described by Section 20A.02(a)(7) or (8);

9-48 (2) Section 21.02;

9-49 (3) Section 21.03;

9-50 (4) Section 21.11;

9-51 ~~(5) [(4)]~~ Section 22.011, if the victim of the offense
9-52 was a child under 18 years of age; or

9-53 ~~(6) [(5)]~~ Section 22.021, if the victim of the offense
9-54 was a child under 18 years of age.

9-55 SECTION 18. Chapter 21, Penal Code, is amended by adding
9-56 Section 21.03 to read as follows:

9-57 Sec. 21.03. CONTINUOUS SEXUAL ABUSE. (a) A person commits
9-58 an offense if:

9-59 (1) during a period that is 30 or more days in
9-60 duration, the person commits two or more acts of sexual abuse
9-61 against two or more victims; and

9-62 (2) at the time of the commission of each of the acts
9-63 of sexual abuse, the actor is 17 years of age or older.

9-64 (b) For purposes of this section, "act of sexual abuse"
9-65 means any act that is a violation of one or more of the following
9-66 penal laws:

9-67 (1) aggravated kidnapping under Section 20.04(a)(4),
9-68 if the actor committed the offense with the intent to violate or
9-69 abuse the victim sexually;

- 10-1 (2) indecency with a child under Section 21.11(a)(1),
- 10-2 if the actor committed the offense in a manner other than by
- 10-3 touching, including touching through clothing, the breast of a
- 10-4 child;
- 10-5 (3) sexual assault under Section 22.011;
- 10-6 (4) aggravated sexual assault under Section 22.021;
- 10-7 (5) burglary under Section 30.02, if the offense is
- 10-8 punishable under Subsection (d) of that section and the actor
- 10-9 committed the offense with the intent to commit an offense listed in
- 10-10 Subdivisions (1)-(4);
- 10-11 (6) sexual performance by a child under Section 43.25;
- 10-12 (7) trafficking of persons under Section
- 10-13 20A.02(a)(3), (4), (7), or (8); and
- 10-14 (8) compelling prostitution under Section 43.05.

10-15 (c) If a jury is the trier of fact, members of the jury are
 10-16 not required to agree unanimously on which specific acts of sexual
 10-17 abuse were committed by the defendant or the exact date when those
 10-18 acts were committed. The jury must agree unanimously that the
 10-19 defendant, during a period that is 30 or more days in duration,
 10-20 committed two or more acts of sexual abuse against two or more
 10-21 victims.

10-22 (d) A defendant may not be convicted in the same criminal
 10-23 action of an offense listed under Subsection (b) the victim of which
 10-24 is the same victim as a victim of the offense under Subsection (a)
 10-25 unless the offense listed in Subsection (b):

- 10-26 (1) is charged in the alternative;
- 10-27 (2) occurred outside the period in which the offense
- 10-28 alleged under Subsection (a) was committed; or
- 10-29 (3) is considered by the trier of fact to be a lesser
- 10-30 included offense of the offense alleged under Subsection (a).

10-31 (e) A defendant may not be charged with more than one count
 10-32 under Subsection (a) if all of the specific acts of sexual abuse
 10-33 that are alleged to have been committed are alleged to have been
 10-34 committed against only two victims.

10-35 (f) With respect to a prosecution under this section
 10-36 involving only two or more victims younger than 17 years of age, it
 10-37 is an affirmative defense to prosecution under this section that
 10-38 the actor:

- 10-39 (1) was not more than five years older than the
- 10-40 youngest victim of the offense;
- 10-41 (2) did not use duress, force, or a threat against a
- 10-42 victim at the time of the commission of any of the acts of sexual
- 10-43 abuse alleged as an element of the offense; and
- 10-44 (3) at the time of the commission of any of the acts of
- 10-45 sexual abuse alleged as an element of the offense:

10-46 (A) was not required under Chapter 62, Code of
 10-47 Criminal Procedure, to register for life as a sex offender; or

10-48 (B) was not a person who under Chapter 62, Code of
 10-49 Criminal Procedure, had a reportable conviction or adjudication for
 10-50 an offense under this section or an act of sexual abuse as described
 10-51 by Subsection (b).

10-52 (g) An offense under this section is a felony of the first
 10-53 degree.

10-54 SECTION 19. Section 21.17, Penal Code, is amended by
 10-55 amending Subsections (b), (c), and (d) and adding Subsection (f) to
 10-56 read as follows:

10-57 (b) Except as provided by Subsection (c) or (d), an offense
 10-58 under this section is a Class A ~~C~~ misdemeanor.

10-59 (c) An offense under this section is a state jail felony
 10-60 ~~Class B misdemeanor~~ if it is shown on the trial of the offense
 10-61 that:

- 10-62 (1) the actor has previously been convicted ~~two or~~
- 10-63 ~~more times~~ of an offense under this section;
- 10-64 (2) the victim was a child younger than 18 years of age
- 10-65 at the time of the offense; or
- 10-66 (3) the offense was committed in a location that was on
- 10-67 the premises of a postsecondary educational institution.

10-68 (d) An offense under this section is a ~~state jail~~ felony
 10-69 of the third degree if it is shown on the trial of the offense that:

11-1 (1) the victim was a child younger than 18 [~~14~~] years
11-2 of age at the time of the offense; and

11-3 (2) the actor has previously been convicted of an
11-4 offense punishable under Subsection (c)(2).

11-5 (f) In this section, "postsecondary educational
11-6 institution" and "premises" have the meanings assigned by Section
11-7 12.502.

11-8 SECTION 20. Section 21.18(b), Penal Code, is amended to
11-9 read as follows:

11-10 (b) A person commits an offense if the person intentionally
11-11 threatens, including by coercion or extortion, to commit an offense
11-12 under Chapter 43 or Section 20A.02(a)(3), (4), (7), or (8), 21.02,
11-13 21.03, 21.08, 21.11, 21.12, 21.15, 21.16, 21.17, 22.011, or 22.021
11-14 to obtain, in return for not committing the threatened offense or in
11-15 connection with the threatened offense, any of the following
11-16 benefits:

- 11-17 (1) intimate visual material;
- 11-18 (2) an act involving sexual conduct causing arousal or
11-19 gratification; or
- 11-20 (3) a monetary benefit or other benefit of value.

11-21 SECTION 21. Section 22.021(f), Penal Code, is amended to
11-22 read as follows:

11-23 (f) The minimum term of imprisonment for an offense under
11-24 this section is increased to 25 years if:

- 11-25 (1) the victim of the offense is younger than 10 [~~six~~]
11-26 years of age at the time the offense is committed; or
- 11-27 (2) the victim of the offense is younger than 14 years
11-28 of age at the time the offense is committed and the actor commits
11-29 the offense in a manner described by Subsection (a)(2)(A).

11-30 SECTION 22. Not later than December 1, 2025, the Department
11-31 of Public Safety of the State of Texas shall adopt the form required
11-32 by Section 420.0736, Government Code, as added by this Act.

11-33 SECTION 23. (a) Except as provided by Subsection (b) of
11-34 this section, the changes in law made by this Act apply only to an
11-35 offense committed on or after the effective date of this Act. An
11-36 offense committed before the effective date of this Act is governed
11-37 by the law in effect on the date the offense was committed, and the
11-38 former law is continued in effect for that purpose. For purposes of
11-39 this subsection, an offense was committed before the effective date
11-40 of this Act if any element of the offense occurred before that date.

11-41 (b) Article 56A.306, Code of Criminal Procedure, and
11-42 Section 420.0735, Government Code, as amended by this Act, and
11-43 Section 420.0736, Government Code, as added by this Act, apply only
11-44 to biological evidence collected on or after December 1, 2025.
11-45 Biological evidence collected before December 1, 2025, is governed
11-46 by the law in effect on the date the evidence was collected, and the
11-47 former law is continued in effect for that purpose.

11-48 SECTION 24. This Act takes effect September 1, 2025.

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