

1-1 By: Hinojosa of Hidalgo, Huffman S.B. No. 1120  
 1-2 (In the Senate - Filed February 5, 2025; February 24, 2025,  
 1-3 read first time and referred to Committee on Criminal Justice;  
 1-4 March 19, 2025, reported favorably by the following vote: Yeas 7,  
 1-5 Nays 0; March 19, 2025, 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 rights of a victim, guardian of a victim, or close  
 1-18 relative of a deceased victim in certain criminal cases involving  
 1-19 family violence, sexual or assaultive offenses, stalking, or a  
 1-20 violation of a protective order or condition of bond.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Article 56A.001, Code of Criminal Procedure, is  
 1-23 amended by adding Subdivision (4-a) and amending Subdivision (7) to  
 1-24 read as follows:

1-25 (4-a) "Family violence" means an offense under the  
 1-26 following provisions of the Penal Code if the offense is committed  
 1-27 against a person whose relationship to or association with the  
 1-28 defendant is described by Section 71.0021(b), 71.003, or 71.005,  
 1-29 Family Code:

- 1-30 (A) Section 21.02;
- 1-31 (B) Section 21.11(a)(1);
- 1-32 (C) Section 22.01;
- 1-33 (D) Section 22.011;
- 1-34 (E) Section 22.02;
- 1-35 (F) Section 22.021;
- 1-36 (G) Section 22.04; and
- 1-37 (H) Section 25.11.

1-38 (7) "Victim" means a person who:

- 1-39 (A) is the victim of the offense of:
  - 1-40 (i) sexual assault;
  - 1-41 (ii) kidnapping;
  - 1-42 (iii) aggravated robbery;
  - 1-43 (iv) trafficking of persons; ~~or~~
  - 1-44 (v) injury to a child, elderly individual,  
 1-45 or disabled individual; ~~or~~
  - 1-46 (vi) family violence; or
  - 1-47 (vii) stalking;
- 1-48 (B) has suffered personal injury or death as a  
 1-49 result of the criminal conduct of another; or
- 1-50 (C) is the victim of an offense committed under  
 1-51 Section 25.07, 25.071, 25.072, Penal Code, if a violation that is an  
 1-52 element of the offense occurred through the commission of an  
 1-53 assault, aggravated assault, or sexual assault or the offense of  
 1-54 stalking, regardless of whether that violation occurred with  
 1-55 respect to a person whose relationship to or association with the  
 1-56 defendant is described by Section 71.0021(b), 71.003, or 71.005,  
 1-57 Family Code.

1-58 SECTION 2. Article 56A.051(a), Code of Criminal Procedure,  
 1-59 is amended to read as follows:

1-60 (a) A victim, guardian of a victim, or close relative of a  
 1-61 deceased victim is entitled to the following rights within the

2-1 criminal justice system:

2-2 (1) the right to receive from a law enforcement agency

2-3 adequate protection from harm and threats of harm arising from

2-4 cooperation with prosecution efforts;

2-5 (2) the right to have the magistrate consider the

2-6 safety of the victim or the victim's family in setting the amount of

2-7 bail for the defendant;

2-8 (3) if requested, the right to be informed in the

2-9 manner provided by Article 56A.0525:

2-10 (A) by the attorney representing the state of

2-11 relevant court proceedings, including appellate proceedings, and

2-12 to be informed if those proceedings have been canceled or

2-13 rescheduled before the event; and

2-14 (B) by an appellate court of the court's

2-15 decisions, after the decisions are entered but before the decisions

2-16 are made public;

2-17 (4) when requested, the right to be informed in the

2-18 manner provided by Article 56A.0525:

2-19 (A) by a peace officer concerning the defendant's

2-20 right to bail and the procedures in criminal investigations; and

2-21 (B) by the office of the attorney representing

2-22 the state concerning the general procedures in the criminal justice

2-23 system, including general procedures in guilty plea negotiations

2-24 and arrangements, restitution, and the appeals and parole process;

2-25 (5) the right to provide pertinent information to a

2-26 community supervision and corrections department conducting a

2-27 presentencing investigation concerning the impact of the offense on

2-28 the victim and the victim's family by testimony, written statement,

2-29 or any other manner before any sentencing of the defendant;

2-30 (6) the right to receive information, in the manner

2-31 provided by Article 56A.0525:

2-32 (A) regarding compensation to victims of crime as

2-33 provided by Chapter 56B, including information related to the costs

2-34 that may be compensated under that chapter and the amount of

2-35 compensation, eligibility for compensation, and procedures for

2-36 application for compensation under that chapter;

2-37 (B) for a victim of a sexual assault, regarding

2-38 the payment under Subchapter G for a forensic medical examination;

2-39 and

2-40 (C) when requested, providing a referral to

2-41 available social service agencies that may offer additional

2-42 assistance;

2-43 (7) the right to:

2-44 (A) be informed, on request, and in the manner

2-45 provided by Article 56A.0525, of parole procedures;

2-46 (B) participate in the parole process;

2-47 (C) provide to the board for inclusion in the

2-48 defendant's file information to be considered by the board before

2-49 the parole of any defendant convicted of any offense subject to this

2-50 chapter; and

2-51 (D) be notified in the manner provided by

2-52 Article 56A.0525, if requested, of parole proceedings concerning a

2-53 defendant in the victim's case and of the defendant's release;

2-54 (8) the right to be provided with a waiting area,

2-55 separate or secure from other witnesses, including the defendant

2-56 and relatives of the defendant, before testifying in any proceeding

2-57 concerning the defendant; if a separate waiting area is not

2-58 available, other safeguards should be taken to minimize the

2-59 victim's contact with the defendant and the defendant's relatives

2-60 and witnesses, before and during court proceedings;

2-61 (9) the right to the prompt return of any of the

2-62 victim's property that is held by a law enforcement agency or the

2-63 attorney representing the state as evidence when the property is no

2-64 longer required for that purpose;

2-65 (10) the right to have the attorney representing the

2-66 state notify the victim's employer, if requested, that the victim's

2-67 cooperation and testimony is necessary in a proceeding that may

2-68 require the victim to be absent from work for good cause;

2-69 (11) the right to request victim-offender mediation

3-1 coordinated by the victim services division of the department;  
3-2 (12) the right to be informed, in the manner provided  
3-3 by Article 56A.0525, of the uses of a victim impact statement and  
3-4 the statement's purpose in the criminal justice system as described  
3-5 by Subchapter D, to complete the victim impact statement, and to  
3-6 have the victim impact statement considered:

3-7 (A) by the attorney representing the state and  
3-8 the judge before sentencing or before a plea bargain agreement is  
3-9 accepted; and

3-10 (B) by the board before a defendant is released  
3-11 on parole;

3-12 (13) for a victim of an assault, aggravated assault,  
3-13 or sexual assault who is younger than 17 years of age or whose case  
3-14 involves family violence, [~~as defined by Section 71.004, Family~~  
3-15 ~~Code,~~] the right to have the court consider the impact on the victim  
3-16 of a continuance requested by the defendant; if requested by the  
3-17 attorney representing the state or by the defendant's attorney, the  
3-18 court shall state on the record the reason for granting or denying  
3-19 the continuance; and

3-20 (14) if the offense is a capital felony, the right to:

3-21 (A) receive by mail from the court a written  
3-22 explanation of defense-initiated victim outreach if the court has  
3-23 authorized expenditures for a defense-initiated victim outreach  
3-24 specialist;

3-25 (B) not be contacted by the victim outreach  
3-26 specialist unless the victim, guardian, or relative has consented  
3-27 to the contact by providing a written notice to the court; and

3-28 (C) designate a victim service provider to  
3-29 receive all communications from a victim outreach specialist acting  
3-30 on behalf of any person.

3-31 SECTION 3. The heading to Article 56A.052, Code of Criminal  
3-32 Procedure, is amended to read as follows:

3-33 Art. 56A.052. ADDITIONAL RIGHTS OF VICTIMS OF SEXUAL  
3-34 ASSAULT, INDECENT ASSAULT, [~~STALKING,~~] OR TRAFFICKING.

3-35 SECTION 4. Articles 56A.052(a), (c), and (d), Code of  
3-36 Criminal Procedure, are amended to read as follows:

3-37 (a) A victim, guardian of a victim, or close relative of a  
3-38 deceased victim of an offense under Section 21.02, 21.11, 22.011,  
3-39 22.012, or 22.021, [~~or 42.072,~~] Penal Code, is entitled to the  
3-40 following rights within the criminal justice system:

3-41 (1) if requested, the right to a disclosure of  
3-42 information, in the manner provided by Article 56A.0525, regarding:

3-43 (A) any evidence that was collected during the  
3-44 investigation of the offense, unless disclosing the information  
3-45 would interfere with the investigation or prosecution of the  
3-46 offense, in which event the victim, guardian, or relative shall be  
3-47 informed of the estimated date on which that information is  
3-48 expected to be disclosed; and

3-49 (B) the status of any analysis being performed on  
3-50 any evidence described by Paragraph (A);

3-51 (2) if requested, the right to be notified in the  
3-52 manner provided by Article 56A.0525:

3-53 (A) at the time a request is submitted to a crime  
3-54 laboratory to process and analyze any evidence that was collected  
3-55 during the investigation of the offense;

3-56 (B) at the time of the submission of a request to  
3-57 compare any biological evidence collected during the investigation  
3-58 of the offense with DNA profiles maintained in a state or federal  
3-59 DNA database; and

3-60 (C) of the results of the comparison described by  
3-61 Paragraph (B), unless disclosing the results would interfere with  
3-62 the investigation or prosecution of the offense, in which event the  
3-63 victim, guardian, or relative shall be informed of the estimated  
3-64 date on which those results are expected to be disclosed;

3-65 (3) if requested, the right to counseling regarding  
3-66 acquired immune deficiency syndrome (AIDS) and human  
3-67 immunodeficiency virus (HIV) infection;

3-68 (4) if requested, the right to be informed about, and  
3-69 confer with the attorney representing the state regarding, the

4-1 disposition of the offense, including sharing the victim's,  
4-2 guardian's, or relative's views regarding:  
4-3 (A) a decision not to file charges;  
4-4 (B) the dismissal of charges;  
4-5 (C) the use of a pretrial intervention program;  
4-6 or  
4-7 (D) a plea bargain agreement; and  
4-8 (5) for the victim, the right to:  
4-9 (A) testing for acquired immune deficiency  
4-10 syndrome (AIDS), human immunodeficiency virus (HIV) infection,  
4-11 antibodies to HIV, or infection with any other probable causative  
4-12 agent of AIDS; and  
4-13 (B) a forensic medical examination as provided by  
4-14 Subchapter G.  
4-15 (c) A victim, guardian of a victim, or close relative of a  
4-16 deceased victim may designate a person, including an entity that  
4-17 provides services to victims of an offense described by Subsection  
4-18 (a), to receive any notice requested under Subsection (a)(2). This  
4-19 person may not be the person charged with the offense.  
4-20 (d) This subsection applies only to a victim of an offense  
4-21 under Section [20A.02](#), [20A.03](#), [21.02](#), [21.11](#), [22.011](#), [22.012](#), [22.021](#),  
4-22 [~~[42.072](#)~~] or [43.05](#), Penal Code. A victim described by this  
4-23 subsection or a parent or guardian of the victim, if the victim is  
4-24 younger than 18 years of age or an adult ward, is entitled to the  
4-25 following rights within the criminal justice system:  
4-26 (1) the right to be informed in the manner provided by  
4-27 Article [56A.0525](#):  
4-28 (A) that the victim or, if the victim is younger  
4-29 than 18 years of age or an adult ward, the victim's parent or  
4-30 guardian or another adult acting on the victim's behalf may file an  
4-31 application for a protective order under Article 7B.001;  
4-32 (B) of the court in which the application for a  
4-33 protective order may be filed;  
4-34 (C) that, on request of the victim or, if the  
4-35 victim is younger than 18 years of age or an adult ward, on request  
4-36 of the victim's parent or guardian or another adult acting on the  
4-37 victim's behalf, the attorney representing the state may, subject  
4-38 to the Texas Disciplinary Rules of Professional Conduct, file the  
4-39 application for a protective order on behalf of the requestor; and  
4-40 (D) that, subject to the Texas Disciplinary Rules  
4-41 of Professional Conduct, the attorney representing the state  
4-42 generally is required to file the application for a protective  
4-43 order with respect to the victim if the defendant is convicted of or  
4-44 placed on deferred adjudication community supervision for the  
4-45 offense;  
4-46 (2) the right to:  
4-47 (A) request that the attorney representing the  
4-48 state, subject to the Texas Disciplinary Rules of Professional  
4-49 Conduct, file an application for a protective order described by  
4-50 Subdivision (1); and  
4-51 (B) be notified in the manner provided by Article  
4-52 [56A.0525](#) when the attorney representing the state files an  
4-53 application for a protective order under Article 7B.001;  
4-54 (3) if the victim or the victim's parent or guardian,  
4-55 as applicable, is present when the defendant is convicted or placed  
4-56 on deferred adjudication community supervision, the right to:  
4-57 (A) be given by the court the information  
4-58 described by Subdivision (1), in the manner provided by Article  
4-59 [56A.0525](#); and  
4-60 (B) file an application for a protective order  
4-61 under Article [7B.001](#) immediately following the defendant's  
4-62 conviction or placement on deferred adjudication community  
4-63 supervision if the court has jurisdiction over the application; and  
4-64 (4) if the victim or the victim's parent or guardian,  
4-65 as applicable, is not present when the defendant is convicted or  
4-66 placed on deferred adjudication community supervision, the right to  
4-67 be given by the attorney representing the state the information  
4-68 described by Subdivision (1), in the manner provided by Article  
4-69 [56A.0525](#).

5-1 SECTION 5. Subchapter B, Chapter 56A, Code of Criminal  
5-2 Procedure, is amended by adding Article 56A.0521 to read as  
5-3 follows:

5-4 Art. 56A.0521. ADDITIONAL RIGHTS OF VICTIMS OF CERTAIN  
5-5 FAMILY VIOLENCE OFFENSES, STALKING, AND VIOLATION OF PROTECTIVE  
5-6 ORDER OR CONDITION OF BOND. (a) This article applies only to an  
5-7 offense:

- 5-8 (1) involving family violence;
- 5-9 (2) under Section 42.072, Penal Code; or
- 5-10 (3) under Section 25.07, 25.071, or 25.072, Penal  
5-11 Code, if a violation that is an element of the offense occurred  
5-12 through the commission of an assault, aggravated assault, or sexual  
5-13 assault or the offense of stalking, regardless of whether that  
5-14 violation occurred with respect to a person whose relationship to  
5-15 or association with the defendant is described by Section  
5-16 71.0021(b), 71.003, or 71.005, Family Code.

5-17 (b) A victim, guardian of a victim, or close relative of a  
5-18 deceased victim of an offense described by Subsection (a) is  
5-19 entitled to the following rights within the criminal justice  
5-20 system:

5-21 (1) if requested, the right to a disclosure of  
5-22 information regarding:

5-23 (A) any evidence that was collected during the  
5-24 investigation of the offense, unless disclosing the information  
5-25 would interfere with the investigation or prosecution of the  
5-26 offense, in which event the victim, guardian, or relative shall be  
5-27 informed of the estimated date on which that information is  
5-28 expected to be disclosed; and

5-29 (B) the status of any analysis being performed on  
5-30 any evidence described by Paragraph (A);

5-31 (2) if requested, the right to be notified at the time  
5-32 a request is submitted to a crime laboratory to process and analyze  
5-33 any evidence that was collected during the investigation of the  
5-34 offense;

5-35 (3) if requested, the right to be informed about, and  
5-36 confer with the attorney representing the state regarding, the  
5-37 disposition of the offense, including sharing the victim's,  
5-38 guardian's, or relative's views regarding:

5-39 (A) a decision not to file charges;

5-40 (B) the dismissal of charges;

5-41 (C) the use of a pretrial intervention program;

5-42 or

5-43 (D) a plea bargain agreement;

5-44 (4) the right to be notified that the attorney  
5-45 representing the state does not represent the victim, guardian of a  
5-46 victim, or close relative of a deceased victim; and

5-47 (5) for an offense under Section 42.072, Penal Code,  
5-48 all of the rights provided to victims, parents, and guardians as  
5-49 described by Article 56A.052(d), for the offenses to which that  
5-50 subsection applies.

5-51 (c) Subject to Subsection (d), a victim, guardian of a  
5-52 victim, or close relative of a deceased victim who requests to be  
5-53 notified or receive information under Subsection (b) must:

5-54 (1) provide a current address and phone number to the  
5-55 attorney representing the state and the law enforcement agency that  
5-56 is investigating the offense;

5-57 (2) inform the attorney representing the state and the  
5-58 law enforcement agency of any change in the address or phone number;  
5-59 and

5-60 (3) if the victim, guardian, or relative chooses to  
5-61 receive notifications by e-mail, provide an e-mail address and  
5-62 update any change in that e-mail address.

5-63 (d) A victim, guardian of a victim, or close relative of a  
5-64 deceased victim may designate a person, including an entity that  
5-65 provides services to victims of an offense described by Subsection  
5-66 (a), to receive any notice requested under Subsection (b)(2). This  
5-67 person may not be the person charged with the offense.

5-68 (e) If a victim of an offense described by Subsection (a) is  
5-69 also entitled to additional rights under Article 56A.052, or if a

6-1 conflict exists between this article and Article 56A.052, that  
6-2 article controls.

6-3 SECTION 6. Article 56A.501, Code of Criminal Procedure, is  
6-4 amended to read as follows:

6-5 Art. 56A.501. DEFINITION [~~DEFINITIONS~~]. In this  
6-6 subchapter, "correctional" ~~+~~

6-7 [~~(1) "Correctional~~] facility" has the meaning  
6-8 assigned by Section 1.07, Penal Code.

6-9 [~~(2) "Family violence" has the meaning assigned by~~  
6-10 ~~Section 71.004, Family Code.]~~

6-11 SECTION 7. The change in law made by this Act applies only  
6-12 to an offense committed on or after the effective date of this Act.  
6-13 An offense committed before the effective date of this Act is  
6-14 governed by the law in effect on the date the offense was committed,  
6-15 and the former law is continued in effect for that purpose. For  
6-16 purposes of this section, an offense was committed before the  
6-17 effective date of this Act if any element of the offense occurred  
6-18 before that date.

6-19 SECTION 8. This Act takes effect September 1, 2025.

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