A BILL TO BE ENTITLED

1   AN ACT

2 relating to the admissibility of certain hearsay statements in the

3 prosecution of certain sexual or assaultive offenses committed

4 against a child or person with a disability.

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

6   SECTION 1.   Section 2(a), Article 38.072, Code of Criminal

7 Procedure, as amended by Chapters 284 (S.B. 643) and 710 (H.B.

8 2846), Acts of the 81st Legislature, Regular Session, 2009, is

9 reenacted and amended to read as follows:

10   (a)   This article applies only to statements that:

11   (1)   describe:

12   (A)   the alleged offense; or

13   (B)   [if the statement is offered during the

14 punishment phase of the proceeding,] a crime, wrong, or act other

15 than the alleged offense that is:

16   (i)   described by Section 1;

17   (ii)   allegedly committed by the defendant

18 against the child or person with a disability who is the victim of

19 the offense or against another person who is a child younger than 18

20 [14] years of age or a person with a disability; and

21   (iii)   otherwise   admissible   as   evidence

22 under Article 38.37, Rule 404 or 405, Texas Rules of Evidence, or

23 another law or rule of evidence of this state;

24   (2)   were made by the child or person with a disability

1 against whom the charged offense or extraneous crime, wrong, or act

2 was allegedly committed; and

3   (3) were made to the first person, 18 years of age or

4 older, other than the defendant, to whom the child or person with a

5 disability made a statement about the offense or extraneous crime,

6 wrong, or act.

7   SECTION 2. The change in law made by this Act applies only

8 to a criminal proceeding that commences on or after the effective

9 date of this Act. A criminal proceeding that commences before the

10 effective date of this Act is governed by the law in effect on the

11 date the proceeding commenced, and the former law is continued in

12 effect for that purpose.

13   SECTION 3. This Act takes effect September 1, 2025.