

SUBJECT: Extending the statute of limitations for certain assaultive offenses

COMMITTEE: Criminal Jurisprudence — favorable, without amendment

VOTE: 6 ayes — Moody, Bhojani, Bowers, Darby, Harrison, Schatzline
0 nays
3 absent — Cook, Leach, C. Morales

WITNESSES: For — Jennifer Kachel, Dallas County District Attorney; Laura Nodolf, Midland County District Attorney's Office; (*Registered, but did not testify:* Eric Carcerano, Chambers County District Attorney; James Parnell, Dallas Police Association; Lindy Borchardt, Tarrant County Criminal District Attorney Phil Sorrells; John Wilkerson, Texas Municipal Police Association; Richard Bohnert; Jacob Putman)

Against — None

DIGEST: HB 467 would extend the statute of limitations period for certain felonies from within three years of the date the offense was committed to within five years of that date. This extension would apply to the following offenses:

- continuous violence against the family;
- assault against a person with whom the defendant had a dating, family, or household relationship or association; or
- aggravated assault

The bill also would extend the statute of limitations for misdemeanor assault against a person with whom the defendant had a dating, family, or household relationship or association from within two years to within three years of the date of the commission of the crime.

The bill would take effect September 1, 2023, and would not apply to an offense if the prosecution of that offense became barred by limitation

before that date.

**SUPPORTERS
SAY:**

By extending the statute of limitations for certain assault offenses involving an offender who had a familial, dating, or household relationship with the victim, HB 467 would help address the unique needs of victims of these crimes. Currently, the statute of limitations for felony assault, aggravated assault, and continuous violence against the family is three years. In cases involving family or dating violence, assault often goes unreported or reporting is delayed due to the control the offender exerts over the victim. HB 467 would account for these reporting issues, providing victims time to heal and law enforcement time to properly investigate.

Extending the statute of limitations for aggravated assault would establish parity with other serious felonies. Currently, aggravated assault, a crime which involves a deadly weapon or serious bodily injury, carries the same limitation period as assault. Such policies fail to account for the serious nature of the crime. HB 467 would remedy this and recognize that victims of aggravated assault deserve the same time afforded to victims of other serious crimes.

**CRITICS
SAY:**

No concerns identified.