

CODE OF CRIMINAL PROCEDURE
TITLE 1. CODE OF CRIMINAL PROCEDURE
CHAPTER 13A. VENUE

SUBCHAPTER A. GENERAL PROVISIONS

Text of article effective on January 01, 2025

Art. 13A.001. VENUE GENERALLY. If venue is not specifically stated for an offense, the offense may be prosecuted in the county in which the offense was committed.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.002. PLEADING AND PROVING VENUE. (a) In each case described by this chapter, the indictment or information or any other pleading may allege that the offense was committed in the county in which the prosecution is conducted.

(b) An allegation of venue under this article may be sustained if the attorney representing the state proves by a preponderance of the evidence that, based on the facts in the case, the county in which the prosecution is conducted has venue.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.003. WHEN VENUE CANNOT BE DETERMINED. If an offense has been committed in this state and the county in which the offense was committed cannot be readily determined, the offense may be prosecuted in the county:

- (1) in which the defendant resides;
- (2) in which the defendant is apprehended; or
- (3) to which the defendant is extradited.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 1.001, eff. January 1, 2025.

SUBCHAPTER B. VENUE IN CERTAIN CIRCUMSTANCES

Text of article effective on January 01, 2025

Art. 13A.051. OFFENSE COMMITTED WHOLLY OR PARTLY OUTSIDE THIS STATE. (a) An offense committed wholly or partly outside this state under circumstances that give this state jurisdiction to prosecute the defendant may be prosecuted in any county in which:

- (1) the defendant is found; or
- (2) an element of the offense occurs.

(b) Criminal homicide committed wholly or partly outside this state under circumstances that give this state jurisdiction to prosecute the defendant may be prosecuted in the county in which:

- (1) the injury was inflicted;
- (2) the defendant was located when the defendant inflicted the injury; or
- (3) the victim died or the victim's body was found.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.052. OFFENSE COMMITTED OUTSIDE THIS STATE BY PERSON ACTING FOR STATE. An offense committed outside this state by any officer acting under the authority of this state under circumstances that give this state jurisdiction to prosecute the defendant may be prosecuted in:

- (1) the county in which the defendant resides; or
- (2) if a nonresident of this state, Travis County.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.053. OFFENSE COMMITTED ON OR NEAR BOUNDARY. (a) An offense committed on or within 400 yards of the boundaries of two or more counties may be prosecuted in any one of those counties.

(b) An offense committed on the premises of an airport

operated jointly by two municipalities and located in two counties may be prosecuted in either county.

(c) An offense punishable by fine only committed on or near the boundary of contiguous municipalities that have entered into an agreement authorized by Article 4.14(f) of this code and Section 29.003(h), Government Code, may be prosecuted in either of those municipalities as provided in the agreement.

(d) An offense committed on a river or stream forming the boundary of this state may be prosecuted in the county:

(1) the boundary of which is on the river or stream;
and

(2) the county seat of which is nearest the place where the offense was committed.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.054. PERSON INJURED IN ONE COUNTY AND DYING IN ANOTHER. An offense in which a person is injured in one county and, as a result of the injury, dies in another county, may be prosecuted in the county in which:

- (1) the injury was received;
- (2) the death occurred; or
- (3) the person's body is found.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.055. OFFENSE COMMITTED ON VESSEL. An offense committed on board a vessel that at the time of the offense is on a navigable water in the boundaries of this State may be prosecuted in:

(1) any county through which the vessel is navigated in the course of the voyage; or

(2) the county in which the voyage commences or terminates.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.056. CERTAIN OFFENSES COMMITTED AGAINST A CHILD. An offense under Title 5, Penal Code, involving a victim younger than 18 years of age, or an offense under Section 25.03, Penal Code, that results in bodily injury to a child younger than 18 years of age, may be prosecuted in the county in which:

- (1) an element of the offense was committed;
- (2) the defendant is apprehended;
- (3) the victim resides; or
- (4) the defendant resides.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.057. VENUE BY CONSENT. With the consent of the defendant in writing, the defendant's attorney, and the attorney representing the state, the trial of a felony case without a jury may be held in any county in a judicial district for the county in which venue is otherwise authorized by law.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

SUBCHAPTER C. INCHOATE OFFENSES

Text of article effective on January 01, 2025

Art. 13A.101. CONSPIRACY. (a) Criminal conspiracy may be prosecuted in any county in which:

- (1) the conspiracy was entered into;
- (2) the conspiracy was agreed to be executed; or
- (3) one or more of the conspirators acts to effect an object of the conspiracy.

(b) If an object of a criminal conspiracy is an offense classified as a felony under the Tax Code, the conspiracy may be

prosecuted in any county in which venue is proper under the Tax Code for the offense, regardless of whether the offense was committed.

(c) If a criminal conspiracy was entered into outside this state under circumstances that give this state jurisdiction to prosecute the defendant, the conspiracy may be prosecuted in:

(1) any county in which the conspiracy was agreed to be executed;

(2) any county in which any of the conspirators were found; or

(3) Travis County.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 1.001, eff. January 1, 2025.

SUBCHAPTER D. OFFENSES AGAINST THE PERSON

Text of article effective on January 01, 2025

Art. 13A.151. TRAFFICKING OF PERSONS, FALSE IMPRISONMENT, KIDNAPPING, AND SMUGGLING OF PERSONS. Trafficking of persons, false imprisonment, kidnapping, or smuggling of persons may be prosecuted in any county:

(1) in which the offense was committed; or

(2) through, into, or out of which the victim may have been taken.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.152. SEXUAL ASSAULT. Sexual assault may be prosecuted in any county:

(1) in which the offense was committed; or

(2) in which the victim was abducted, if applicable, or through or into which the victim was transported in the course of the abduction and sexual assault.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 1.001, eff. January 1, 2025.

SUBCHAPTER E. OFFENSES AGAINST THE FAMILY

Text of article effective on January 01, 2025

Art. 13A.201. BIGAMY. Bigamy may be prosecuted in any county in which:

- (1) the bigamous marriage occurred;
- (2) the parties to the bigamous marriage live together as spouses; or
- (3) a party to the bigamous marriage not charged with the offense resides.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.202. CRIMINAL NONSUPPORT. Criminal nonsupport may be prosecuted in the county in which the person for whom support is not provided resides at the time the information or indictment is presented.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.203. PROTECTIVE ORDER OFFENSES. An offense under Section [25.07](#) or [25.072](#), Penal Code, may be prosecuted in any county in which:

- (1) the protective order was issued; or
- (2) the offense was committed, without regard to the identity or location of the court that issued the protective order.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.204. CONTINUOUS VIOLENCE AGAINST THE FAMILY. An offense under Section [25.11](#), Penal Code, may be prosecuted in any county in which the defendant engaged in the conduct constituting

an offense under Section 22.01(a)(1), Penal Code, against a person described by Section 25.11(a), Penal Code.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

SUBCHAPTER F. OFFENSES AGAINST PROPERTY

Text of article effective on January 01, 2025

Art. 13A.251. THEFT; ORGANIZED RETAIL THEFT; CARGO THEFT.

(a) An offense involving property that is stolen in one county and removed to another county may be prosecuted in any county:

- (1) in which the property was stolen; or
- (2) through or into which the property was removed.

(b) An offense under Section 31.16 or 31.18, Penal Code, may be prosecuted in any county in which an underlying theft could have been prosecuted as a separate offense.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.252. UNAUTHORIZED USE OF A VEHICLE. Unauthorized use of a vehicle may be prosecuted in:

- (1) any county in which the unauthorized use of the vehicle occurred; or
- (2) the county in which the vehicle was originally reported stolen.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.253. UNAUTHORIZED ACQUISITION OR TRANSFER OF CERTAIN FINANCIAL INFORMATION. An offense under Section 31.17, Penal Code, may be prosecuted in:

- (1) any county in which the offense was committed; or
- (2) the county in which the victim resides.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec.

1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.254. FORGERY. Forgery may be prosecuted in:

(1) any county in which the writing was:

(A) forged;

(B) used or passed or attempted to be used or passed; or

(C) deposited or placed with another person, firm, association, or corporation for collection or credit for the account of any person, firm, association, or corporation; or

(2) if the forging and the uttering, using, or passing of a forged instrument in writing concerns or affects the title to real property in this state, a county in which any part of the property is located.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.255. CREDIT CARD OR DEBIT CARD ABUSE. An offense under Section [32.31](#), Penal Code, may be prosecuted in any county in which:

(1) the offense was committed; or

(2) any person whose credit card or debit card was unlawfully possessed or used resides.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.256. HINDERING SECURED CREDITORS. An offense involving secured property that is taken from one county and unlawfully disposed of in another county or state may be prosecuted in the county:

(1) in which the secured property was disposed of;

(2) from which the secured property was removed; or

(3) in which the security agreement is filed.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.257. ILLEGAL RECRUITMENT OF AN ATHLETE. Illegal recruitment of an athlete may be prosecuted in any county in which:

(1) the offense was committed; or

(2) is located the institution of higher education in which the athlete agreed or was influenced to enroll.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.258. MISAPPLICATION OF CERTAIN PROPERTY.

(a) Except as provided by Subsection (b), an offense involving the misapplication of property held as a fiduciary or property of a financial institution in one county and the removal of that property to another county may be prosecuted in any county:

(1) in which the property was misapplied;

(2) through or into which the property was removed; or

(3) in which the fiduciary was appointed to serve, if applicable.

(b) An offense related to misapplication of construction trust funds under Chapter [162](#), Property Code, must be prosecuted in the county in which the construction project is located.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.259. CERTAIN DECEPTIVE PRACTICES. An offense under Section [32.46](#), [32.48](#), or [32.49](#), Penal Code, may be prosecuted in any county:

(1) from which any material document was sent; or

(2) in which any material document was delivered.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.260. FRAUDULENT USE OR POSSESSION OF IDENTIFYING INFORMATION. An offense under Section 32.51, Penal Code, may be prosecuted in:

- (1) any county in which the offense was committed; or
- (2) the county in which the victim resides.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.261. FRAUDULENT, SUBSTANDARD, OR FICTITIOUS DEGREE. An offense under Section 32.52, Penal Code, may be prosecuted in:

- (1) any county in which an element of the offense occurs; or
- (2) Travis County.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.262. MORTGAGE FRAUD. (a) In this article, "real estate transaction" means a sale, lease, trade, exchange, gift, grant, or other conveyance of a real property interest.

(b) Any offense under Chapter 32, Penal Code, that involves a real estate transaction may be prosecuted in:

- (1) the county in which the property is located;
- (2) any county in which part of the transaction occurred, including the generation of documentation supporting the transaction; or
- (3) if the offense is an offense under Section 32.46, 32.48, or 32.49, Penal Code, any county described by Subdivision (1) or (2) or authorized by Article 13A.259.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.263. COMPUTER OFFENSES. (a) In this article, "access," "computer," "computer network," "computer program," "computer system," and "owner" have the meanings assigned by Section 33.01, Penal Code.

(b) An offense under Chapter 33, Penal Code, may be prosecuted in any county:

(1) that is the principal place of business of the owner or lessee of a computer, computer network, or computer system involved in the offense;

(2) in which a defendant had control or possession of:

(A) any proceeds of the offense; or

(B) any books, records, documents, property, negotiable instruments, computer programs, or other material used in furtherance of the offense;

(3) from which, to which, or through which access to a computer, computer network, computer program, or computer system was made in violation of Chapter 33, Penal Code, whether by wires, electromagnetic waves, microwaves, or any other means of communication; or

(4) in which an individual who is a victim of the offense resides.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.264. TELECOMMUNICATIONS OFFENSES. An offense under Chapter 33A, Penal Code, may be prosecuted in any county:

(1) in which the telecommunications service originated or terminated; or

(2) to which the bill for the telecommunications service was or would have been delivered.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.265. MONEY LAUNDERING. Money laundering may be prosecuted in:

- (1) any county in which the offense was committed; or
- (2) if the prosecution is based on an offense classified as a felony under the Tax Code, any county in which venue is proper under the Tax Code for the offense.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

SUBCHAPTER G. OFFENSES AGAINST PUBLIC ADMINISTRATION

Text of article effective on January 01, 2025

Art. 13A.301. OBSTRUCTION OR RETALIATION. An offense under Section 36.06(a)(1), Penal Code, may be prosecuted in any county in which:

- (1) the harm occurs; or
 - (2) the threat to do harm originated or was received.
- Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.302. PERJURY. Perjury or aggravated perjury may be prosecuted in any county in which:

- (1) the offense was committed; or
 - (2) the false statement is used or attempted to be used.
- Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.303. RECORD OF A FRAUDULENT COURT. An offense under Section 37.13, Penal Code, may be prosecuted in any county:

- (1) from which any material document was sent; or
 - (2) in which any material document was delivered.
- Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.304. ESCAPE; UNAUTHORIZED ABSENCE. An offense under Section 38.06 or 38.113, Penal Code, may be prosecuted in any county in which:

(1) the offense was committed; or

(2) the defendant committed the offense for which the defendant was placed in custody, detained, or required to submit to treatment.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

SUBCHAPTER H. OFFENSES AGAINST PUBLIC ORDER AND DECENCY

Text of article effective on January 01, 2025

Art. 13A.451. FALSE REPORT TO INDUCE EMERGENCY RESPONSE. An offense under Section 42.0601, Penal Code, may be prosecuted in any county in which:

(1) the defendant resides;

(2) the false report was made; or

(3) a law enforcement agency or other emergency responder responded to the false report.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

SUBCHAPTER I. ORGANIZED CRIME

Text of article effective on January 01, 2025

Art. 13A.501. ENGAGING IN ORGANIZED CRIMINAL ACTIVITY. Engaging in organized criminal activity may be prosecuted in:

(1) any county in which an act is committed to effect an objective of the combination; or

(2) if the prosecution is based on an offense classified as a felony under the Tax Code, any county in which venue is proper under the Tax Code for the offense.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

SUBCHAPTER J. OFFENSES OUTSIDE PENAL CODE

Text of article effective on January 01, 2025

Art. 13A.551. FAILURE TO COMPLY WITH SEX OFFENDER REGISTRATION STATUTE. An offense under Chapter 62 may be prosecuted in any county in which:

- (1) an element of the offense occurs;
- (2) the defendant last registered, verified registration, or otherwise complied with a requirement under Chapter 62;
- (3) the defendant has indicated that the defendant intends to reside, regardless of whether the defendant establishes or attempts to establish residency in that county;
- (4) the defendant is placed under custodial arrest for an offense subsequent to the defendant's most recent reportable conviction or adjudication under Chapter 62; or
- (5) the defendant resides or is found by a peace officer, regardless of how long the defendant has been in the county or intends to stay in the county.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.552. CERTAIN OFFENSES COMMITTED AGAINST CHILD COMMITTED TO TEXAS JUVENILE JUSTICE DEPARTMENT. An offense described by Article 104.003(a) committed by an employee or officer of the Texas Juvenile Justice Department or a person providing services under a contract with the department against a child committed to the department may be prosecuted in:

- (1) any county in which an element of the offense occurred; or
- (2) Travis County.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec.

1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.553. POSSESSION AND DELIVERY OF MARIHUANA. Possession or delivery of marihuana may be prosecuted in:

(1) any county in which the offense was committed; or

(2) with the consent of the defendant, any county that is adjacent to and in the same judicial district as any county in which the offense was committed.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Text of article effective on January 01, 2025

Art. 13A.554. FAILURE TO COMPLY WITH SEXUALLY VIOLENT PREDATOR CIVIL COMMITMENT REQUIREMENT. An offense under Section 841.085, Health and Safety Code, may be prosecuted in:

(1) any county in which an element of the offense occurs; or

(2) the court that retains jurisdiction over the civil commitment proceeding under Section 841.082, Health and Safety Code.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.