

# IN ADDITION

The *Texas Register* is required by statute to publish certain documents, including applications to purchase control of state banks, notices of rate ceilings issued by the Office of Consumer Credit Commissioner, and consultant proposal requests and awards. State agencies also may publish other notices of general interest as space permits.

## Office of Consumer Credit Commissioner

### Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in §303.003 and §303.009, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 12/29/25 - 01/04/26 is 18.00% for consumer<sup>1</sup> credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 12/29/25 - 01/04/26 is 18.00% for commercial<sup>2</sup> credit.

<sup>1</sup> Credit for personal, family, or household use.

<sup>2</sup> Credit for business, commercial, investment, or other similar purpose.

TRD-202504777

Leslie L. Pettijohn  
Commissioner

Office of Consumer Credit Commissioner

Filed: December 22, 2025



### Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in §303.003 and §303.009, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 01/05/25 - 01/11/26 is 18.00% for consumer<sup>1</sup> credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 01/05/25 - 01/11/26 is 18.00% for commercial<sup>2</sup> credit.

<sup>1</sup> Credit for personal, family, or household use.

<sup>2</sup> Credit for business, commercial, investment, or other similar purpose.

TRD-202504790

Leslie L. Pettijohn  
Commissioner

Office of Consumer Credit Commissioner

Filed: December 29, 2025



## Office of Court Administration

### Public Notice of Court Costs and Fees 2025

#### Public Notice of Court Costs and Fees 2025

Section 51.607, Tex. Gov't Code, requires the Office of Court Administration of the Texas Judicial System to publish a list of all court costs and fees imposed or changed during the most recent regular session of the Legislature. The following is a list of court costs and fees that were amended, repealed, or added by the 89th Texas Legislature during the regular and second special sessions:

#### HB 654

House Bill 654 amends Chapter 61, Tex. Parks & Wild Code, by adding Section 61.902 to authorize a reimbursement fee in an amount not to exceed \$10 on a request to take a hunter education course and a \$10 reimbursement fee to the course provider. Fees collected on the request to take the course are deposited in the county treasury. The court will disburse the provider's fee to the appropriate provider. Both fees take effect January 1, 2026, and may be imposed on offenses committed on or after September 1, 2025. The fees may not be imposed on a defendant who is indigent. See Sections 2 and 3 of HB 654.

#### HB 2282

House Bill 2282 amends Article 102.011, Tex. Code Crim. Proc., by amending Subarticle (a) to increase the reimbursement fee for executing or processing an issued arrest warrant, capias, or capias pro fine from \$50 to \$75. The court will disburse the fee to the appropriate law enforcement agency. The fee increase takes effect January 1, 2026, and if collected by a justice or municipal clerk, the fee is limited to cases in which the arrest warrant, capias, or capias pro fine issued for an offense committed on or after September 1, 2025. See HB 2282.

#### SB 1547

Senate Bill 1547 amends Section 118.011, Tex. Loc. Gov't Code, by amending Subsections (a) and (e) to require a county clerk who provides a copy in a format other than paper of a record maintained by the clerk, including real property records, to provide the copy and charge a fee in accordance with Texas Government Code Sections 552.231 (Responding to Requests for Information That Require Programming or Manipulation of Data) and 552.262 (Rules of the Attorney General), as opposed to the current charge of \$0.10 per page. The fee took effect June 20, 2025. See SB 1547.

#### SB 1667

Senate Bill 1667 amends Articles 55A.254 and 55A.351, Tex. Code Crim. Proc., to impose a \$25 fee to electronically transmit a copy of the ex parte petition for expunction or notice of hearing to an official, agency, or other entity that is listed in the petition and that is unable to receive an electronic copy of the petition or notice. The bill imposes another \$25 fee to electronically transmit the expunction order to an official, agency, or other entity that is listed in the petition and that is unable to receive an electronic copy of the order. Both fees take effect January 1, 2026. See SB 1667 Sections 3, 6, 11, 12, 13, and 15.

#### SB 1760

Senate Bill 1760 amends Chapter 1023, Tex. Est. Code, by adding Section 1023.0071 to impose an \$80 fee on transfers of a guardianship case to another county after the guardian has been appointed and qualified by the transferring court. The fee is paid to the receiving court and is deposited to the county's treasury. No portion of the fee is sent to the state. The new fee takes effect January 1, 2026. **Effective September 1, 2025**, the receiving clerk may not assess any other filing fee, including the original filing fee of \$360, in connection with the filing or docketing of the transferred case. See Section 5 of SB 1760 amending Article 1023.0071(b), (c), Tex. Est. Code.

#### Deletions and Repeals

#### SB 1667

Senate Bill 1667 repeals Article 102.006, Tex. Code Crim. Proc. The article relates to fees in expunction proceedings. The bill repeals fees assessed in an expunction case, including the \$350 fee for filing an ex parte petition for expunction in a district court, the \$100 fee for filing an ex parte petition for expunction in a justice or municipal court, the \$1 fee plus postage for mailing a notice of hearing date, and the \$2 fee plus postage for mailing a certified copy of the expunction order. The repeal took effect September 1, 2025. *(However, please note that during its second special session the Legislature reinstated the fees repealed by SB 1667. See House Bill 16 89(2), Section 9.10. The fees and postage, as reinstated by HB 16, took effect September 17, 2025, and will expire on January 1, 2026, the date Article 102.0061, Tex. Code Crim. Proc., also enacted by HB16, takes effect.)*

The Office of Court Administration hereby certifies that legal counsel has reviewed this notice and concluded that it is within the agency's authority to publish.

TRD-202504773

Maria Elena Ramon

General Counsel

Office of Court Administration

Filed: December 19, 2025



## Court of Criminal Appeals

Final Approval of Amendments to Texas Rule of Evidence 412

# Court of Criminal Appeals of Texas

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Misc. Docket No. 25-008

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## Final Approval of Amendments to Texas Rule of Evidence 412

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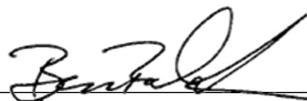
**ORDERED** that:

1. On August 29, 2025, in Misc. Dkt. No. 25-005, the Court repealed former Texas Rule of Evidence 412 and replaced it with a new rule.
2. New Texas Rule of Evidence 412 took effect on September 1, 2025, and the Court invited public comment until December 1, 2025.
3. Following the comment period, the Court amended the new rule. This order incorporates the amendments and contains the final version of the new rule, effective January 1, 2026. The final version is shown in both redline and clean forms. The redline form shows changes made since Misc. Dkt. No. 25-005.
4. As stated in Misc. Dkt. No. 25-005, for criminal proceedings commencing before September 1, 2025, the rule in effect on the date the proceeding commenced governs.
5. The Clerk is directed to:
  - a. file a copy of this Order with the Secretary of State;
  - b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
  - c. send a copy of this Order to the Governor, the Lieutenant Governor, and each elected member of the Legislature; and
  - d. submit a copy of this Order for publication in the *Texas Register*.

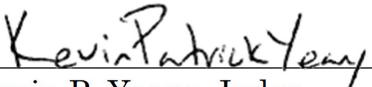
Dated: December 19, 2025.



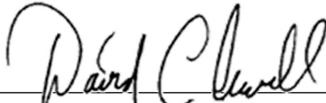
David J. Schenck, Presiding Judge



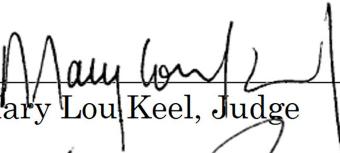
Bert Richardson, Judge



Kevin P. Yeary, Judge



David Newell, Judge



Mary Lou Keel, Judge



Scott Walker, Judge



Jesse F. McClure, Judge



Lee Finley, Judge



Gina G. Parker, Judge

TRD-202504776  
Deana Williamson  
Clerk of the Court  
Court of Criminal Appeals  
Filed: December 22, 2025



## Texas Commission on Environmental Quality

Agreed Orders

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075 requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075 requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **February 10, 2026**. TWC, §7.075

also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A physical copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-2545 and at the applicable regional office listed as follows. Additionally, copies of the proposed AO can be found online by using either the Chief Clerk's eFiling System at <https://www.tceq.texas.gov/goto/efilings> or the TCEQ Commissioners' Integrated Database at <https://www.tceq.texas.gov/goto/cid>, and searching either of those databases with the proposed AO's identifying information, such as its docket number. Written comments about an AO should be sent to the enforcement coordinator designated for each AO at the commission's central office at Enforcement Division, MC 128, P.O. Box 13087, Austin, Texas 78711-3087 and must be postmarked by 5:00 p.m. on **February 10, 2026**. Written comments may also be sent to the enforcement coordinator by email to ENFCOMNT@tceq.texas.gov or by facsimile machine at (512) 239-2550. The commission enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed contact information; however, TWC, §7.075 provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: Angleton MHP LLC; DOCKET NUMBER: 2025-0645-PWS-E; IDENTIFIER: RN101226710; LOCATION: Angleton, Brazoria County; TYPE OF FACILITY: public water supply; PENALTY: \$1,037; ENFORCEMENT COORDINATOR: Emerson Rinewalt, (512) 239-1131; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(2) COMPANY: City of Huntsville; DOCKET NUMBER: 2024-0718-MWD-E; IDENTIFIER: RN101609568; LOCATION: Huntsville, Walker County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$41,700; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$33,360; ENFORCEMENT COORDINATOR: Penny Wimberly, (512) 239-0538; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(3) COMPANY: City of Leander; DOCKET NUMBER: 2023-0868-MWD-E; IDENTIFIER: RN101917722; LOCATION: Leander, Williamson County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$23,750; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$23,750; ENFORCEMENT COORDINATOR: Penny Wimberly, (512) 239-0538; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(4) COMPANY: DCP Operating Company, LP; DOCKET NUMBER: 2025-0313-AIR-E; IDENTIFIER: RN100219690; LOCATION: Dime Box, Lee County; TYPE OF FACILITY: compressor station; PENALTY: \$12,688; ENFORCEMENT COORDINATOR: Katie Phillips, (713) 767-3628; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(5) COMPANY: Fort Griffin Special Utility District; DOCKET NUMBER: 2023-0908-PWS-E; IDENTIFIER: RN101264729; LOCATION: Albany, Shackelford County; TYPE OF FACILITY: public water supply; PENALTY: \$3,125; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$3,125; ENFORCEMENT

COORDINATOR: Elizabeth Vanderwerken, (512) 239-5900; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(6) COMPANY: Kraan Enterprises Inc; DOCKET NUMBER: 2025-0690-PST-E; IDENTIFIER: RN104072897; LOCATION: Denton, Denton County; TYPE OF FACILITY: convenience store with retail sales of gasoline; PENALTY: \$9,145; ENFORCEMENT COORDINATOR: Celicia Garza, (210) 657-8422; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, REGION 13 - SAN ANTONIO.

(7) COMPANY: South Rains Special Utility District; DOCKET NUMBER: 2025-0864-PWS-E; IDENTIFIER: RN101450732; LOCATION: Emory, Rains County; TYPE OF FACILITY: public water supply; PENALTY: \$5,600; ENFORCEMENT COORDINATOR: Katherine Argueta, (512) 239-4131; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(8) COMPANY: Texas Water Utilities, L.P.; DOCKET NUMBER: 2025-1053-PWS-E; IDENTIFIER: RN101222453; LOCATION: Fairfield, Freestone County; TYPE OF FACILITY: public water supply; PENALTY: \$1,575; ENFORCEMENT COORDINATOR: Kaisie Hubschmitt, (512) 239-1482; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

TRD-202504789

Gitanjali Yadav

Deputy Director, Litigation Division

Texas Commission on Environmental Quality

Filed: December 29, 2025

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Notice of District Petition - D-07012025-018

Notice issued December 18, 2025

TCEQ Internal Control No. D-07012025-018: Andiron TX 2, LLC, a Delaware limited liability company (Petitioner) filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the annexation of land into FM 875 of Municipal Utility District of Ellis County (District) under Local Government Code Section §42.042 and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to all the property in the proposed annexation area to be included in the District; (2) there are no lienholders on the property to be annexed into the District; (3) the proposed property annexation will contain approximately 9.87 acres located within Ellis County; and (4) all of the land within the proposed property annexation is within the extraterritorial jurisdiction of the City of Midlothian, Texas (City). In accordance with Texas Local Government Code §§42.0425 and 42.042, the Petitioner submitted a petition to the City, requesting the City's consent to the annexation of land into the District. Information provided indicates that the City did not consent to the inclusion of the land into the District's area. After the 90-day period passed without receiving the City's consent to the annexation, the Petitioner submitted a petition to the City requesting the City provide water and sanitary sewer services to the proposed annexation area. The 120-day period for reaching a mutually agreeable contract expired and the information provided indicates that the Petitioner and the City have not executed a mutually agreeable contract for service. Pursuant to Texas Local Government Code §42.042, failure to execute such an agreement constitutes authorization for the Petitioner to initiate proceedings to include the proposed annexation area into the District. The territory to be annexed into the District is depicted in the vicinity map designated as Exhibit "A," which is attached to this document.

## INFORMATION SECTION

To view the complete issued notice, view the notice on our website at [www.tceq.texas.gov/agency/cc/pub\\_notice.html](http://www.tceq.texas.gov/agency/cc/pub_notice.html) or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the website, type in the issued date range shown at the top of this document to obtain search results. The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our website at [www.tceq.texas.gov](http://www.tceq.texas.gov).

TRD-202504779

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: December 23, 2025



## Notice of District Petition - D-11112025-012

Notice issued December 18, 2025

TCEQ Internal Control No. D-11112025-012: JEN AUSTIN 8 LLC, a Texas limited liability company (Petitioner) filed a petition for creation of Round Rock Municipal Utility District No. 3 (District) of Williamson County with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders, on the property to be included in the proposed District; (3) the proposed District will contain approximately 230.065 acres located within Williamson County, Texas; and (4) the land within the proposed District is located within the corporate boundaries of the City of Round Rock. By Resolution No. R-2025-151, passed and adopted on June 12, 2025, the City of Round Rock, Texas, gave its consent to the creation of the proposed District, pursuant to Texas Water Code §54.016. The territory to be included in the proposed District is depicted in the vicinity map designated as Exhibit "A", which is attached to this document. The

petition further states that the proposed District will: (1) purchase, design, construct, acquire, maintain, own, operate, repair, improve and extend a water works and wastewater system for residential purposes; (2) construct, acquire, improve, extend, maintain, and operate works, improvements, facilities, plants, equipment, and appliances helpful or necessary to provide more adequate drainage for the proposed District; (3) control, abate, and amend local storm waters or other harmful excesses of waters; and (4) purchase, construct, acquire, maintain, own, operate, repair, improve, and extend such additional facilities, including road, and park and recreational facilities systems, plants, and enterprises, as shall be consistent with all of the purposes for which the proposed District is created. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner that the cost of said project will be approximately \$56,500,000 (\$43,500,000 for water, wastewater, and drainage; \$11,650,000 for roads; and \$1,350,000 for park and recreational facilities).

## INFORMATION SECTION

To view the complete issued notice, view the notice on our website at [www.tceq.texas.gov/agency/cc/pub\\_notice.html](http://www.tceq.texas.gov/agency/cc/pub_notice.html) or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the website, type in the issued date range shown at the top of this document to obtain search results. The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our website at [www.tceq.texas.gov](http://www.tceq.texas.gov).

TRD-202504780

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: December 23, 2025



## Office of the Governor

Notice of Available Funding Opportunities

Office of the Governor, Public Safety Office (PSO)

The Public Safety Office is announcing the following funding opportunities for State Fiscal Year 2027. Details for these opportunities, including the open and close date for the solicitation, can be found on the eGrants Calendar (<https://egrants.gov.texas.gov/fundingopp>).

- Border Zone Fire Departments - The purpose of this program is to provide grants to professional fire departments along the Texas-Mexico border region for specialized equipment, maintenance, and medical supplies to support emergency services associated with the execution of border security activities and deterring crimes occurring in the geographic area defined in Article IX, Section 7.10 of the General Appropriations Act.

- Nonprofit Security Grant Program - The purpose of this program is to support physical security enhancements and other security activities to nonprofit organizations that are at high risk of a terrorist attack based on the nonprofit organization's ideology, beliefs or mission.

- Operation Lone Star Grant Program - The purpose of the program is to enhance interagency border security operations supporting Operation Lone Star including the facilitation of directed actions to deter and interdict criminal activity.

- Statewide Emergency Radio Infrastructure - The purpose of this program is to support state and regional efforts to improve or sustain interoperable emergency radio infrastructure.

- Texas Anti-Gang Program - The purpose of this program is to solicit for preselected projects that support regional, multidisciplinary approaches to combat gang violence through the coordination of gang prevention, intervention, and suppression activities.

TRD-202504796

Angie Martin

Director, Grants Administration Division

Office of the Governor

Filed: December 29, 2025



## Texas Department of Licensing and Regulation

Scratch Ticket Game Number 2718 "LADY LUCK"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2718 is "LADY LUCK". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2718 shall be \$10.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2718.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol – The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 03, 04, 06, 07, 08, 09, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, \$10.00, \$20.00, \$30.00, \$50.00, \$100, \$300, \$500, \$1,000, \$10,000, \$250,000, 2X SYMBOL, 5X SYMBOL, 10X SYMBOL and CLOVER SYMBOL.

D. Play Symbol Caption – The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2718 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
03	THR
04	FOR
06	SIX
07	SVN
08	EGT
09	NIN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWFV
26	TWSX
27	TWSV
28	TWET
29	TWNI
30	TRTY

31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFV
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRTD
43	FRTH
44	FRFR
45	FRFV
46	FRSX
47	FRSV
48	FRET
49	FRNI
50	FFTY
51	FFON
52	FFTO
53	FFTH
54	FFFR
55	FFFV
\$10.00	TEN\$
\$20.00	TWY\$
\$30.00	TRTY\$
\$50.00	FFTY\$

\$100	ONHN
\$300	THHN
\$500	FVHN
\$1,000	ONTH
\$10,000	10TH
\$250,000	250TH
2X SYMBOL	DBL
5X SYMBOL	WINX5
10X SYMBOL	WINX10
CLOVER SYMBOL	WIN\$

E. Serial Number – A unique thirteen (13) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Bar Code - A twenty-four (24) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2718), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 050 within each Pack. The format will be: 2718-0000001-001.

H. Pack - A Pack of the "LADY LUCK" Scratch Ticket Game contains 050 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). The back of Ticket 001 will be shown on the front of the Pack; the back of Ticket 050 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery and Charitable Bingo Division of the Texas Department of Licensing and Regulation (Texas Lottery) pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 140.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "LADY LUCK" Scratch Ticket Game No. 2718.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 140.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "LADY LUCK" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose sixty-five (65) Play Symbols. If a player matches any of

the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "CLOVER" Play Symbol, the player wins the prize for that symbol instantly. If the player reveals a "2X" Play Symbol, the player wins DOUBLE the prize for that symbol. If the player reveals a "5X" Play Symbol, the player wins 5 TIMES the prize for that symbol. If the player reveals a "10X" Play Symbol, the player wins 10 TIMES the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

#### 2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly sixty-five (65) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;

11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;

12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;

13. The Scratch Ticket must be complete and not miscut, and have exactly sixty-five (65) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;

14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;

15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;

16. Each of the sixty-five (65) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the sixty-five (65) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director of the Texas Lottery (Executive Director) may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

**2.2 Programmed Game Parameters.**

A. Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

B. A Ticket can win as indicated by the prize structure.

C. A Ticket can win up to thirty (30) times.

D. All non-winning YOUR NUMBERS Play Symbols will be different.

E. Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.

F. All WINNING NUMBERS Play Symbols will be different.

G. Tickets winning more than one (1) time will use as many WINNING NUMBERS Play Symbols as possible to create matches, unless restricted by other parameters, play action or prize structure.

H. On all Tickets, a Prize Symbol will not appear more than five (5) times, except as required by the prize structure to create multiple wins.

I. On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.

J. All YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., 20 and \$20, 30 and \$30 and 50 and \$50).

K. On winning and Non-Winning Tickets, the top cash prizes of \$1,000, \$10,000 and \$250,000 will each appear at least one (1) time, except on Tickets winning thirty (30) times and with respect to other parameters, play action or prize structure.

L. The "CLOVER" (WIN\$) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

M. The "CLOVER" (WIN\$) Play Symbol will win the prize for that Play Symbol.

N. The "CLOVER" (WIN\$) Play Symbol will never appear more than one (1) time on a Ticket.

O. The "CLOVER" (WIN\$) Play Symbol will never appear on a Non-Winning Ticket.

P. The "CLOVER" (WIN\$) Play Symbol will never appear on the same Ticket as the "2X" (DBL), "5X" (WINX5) and "10X" (WINX10) Play Symbols.

Q. On Tickets winning with the "CLOVER" (WIN\$) Play Symbol, the YOUR NUMBERS Play Symbols will not match any of the WINNING NUMBERS Play Symbols.

R. The "2X" (DBL) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

S. The "2X" (DBL) Play Symbol will never appear on a Non-Winning Ticket.

T. The "2X" (DBL) Play Symbol will win DOUBLE the prize for that Play Symbol and will win as per the prize structure.

U. The "2X" (DBL) Play Symbol will never appear more than one (1) time on a Ticket.

V. The "5X" (WINX5) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

W. The "5X" (WINX5) Play Symbol will never appear on a Non-Winning Ticket.

X. The "5X" (WINX5) Play Symbol will win 5 TIMES the prize for that Play Symbol and will win as per the prize structure.

Y. The "5X" (WINX5) Play Symbol will never appear more than one (1) time on a Ticket.

Z. The "10X" (WINX10) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

AA. The "10X" (WINX10) Play Symbol will never appear on a Non-Winning Ticket.

BB. The "10X" (WINX10) Play Symbol will win 10 TIMES the prize for that Play Symbol and will win as per the prize structure.

CC. The "10X" (WINX10) Play Symbol will never appear more than one (1) time on a Ticket.

DD. The "2X" (DBL), "5X" (WINX5) and "10X" (WINX10) Play Symbols will never appear on the same Ticket.

## 2.3 Procedure for Claiming Prizes.

A. To claim a "LADY LUCK" Scratch Ticket Game prize of \$10.00, \$20.00, \$30.00, \$50.00, \$100, \$300 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$30.00, \$50.00, \$100, \$300 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "LADY LUCK" Scratch Ticket Game prize of \$1,000, \$10,000 or \$250,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "LADY LUCK" Scratch Ticket Game prize, the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;
2. in default on a loan made under Chapter 52, Education Code;
3. in default on a loan guaranteed under Chapter 57, Education Code; or
4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;

B. if there is any question regarding the identity of the claimant;

C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "LADY LUCK" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "LADY LUCK" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

## 3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Prizes. There will be approximately 8,040,000 Scratch Tickets in Scratch Ticket Game No. 2718. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2718 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$10.00	750,400	10.71
\$20.00	536,000	15.00
\$30.00	321,600	25.00
\$50.00	482,400	16.67
\$100	22,110	363.64
\$300	938	8,571.43
\$500	871	9,230.77
\$1,000	70	114,857.14
\$10,000	10	804,000.00
\$250,000	5	1,608,000.00

\*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

\*\*The overall odds of winning a prize are 1 in 3.80. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2718 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §140.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2718, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 140, and all final decisions of the Executive Director.

TRD-202504795

Deanne Rienstra

Interim General Counsel Lottery and Charitable Bingo  
Texas Department of Licensing and Regulation  
Filed: December 29, 2025



### Supreme Court of Texas

Final Approval of Amendments to Texas Rules of Appellate Procedure 9, 52, 53, 54, 55, 56, 57, 58, and 64

*(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," this order is not included in the print version of the Texas Register. The order is available in the on-line version of the January 9, 2026, issue of the Texas Register.)*

TRD-202504794

Jaclyn Daumerie

Rules Attorney

Supreme Court of Texas

Filed: December 29, 2025



Final Approval of New Texas Rule of Evidence 412 (Joint Order, Court of Criminal Appeals Misc. Docket No. 25-008)

# Supreme Court of Texas

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Misc. Docket No. 25-9102

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## Final Approval of New Texas Rule of Evidence 412

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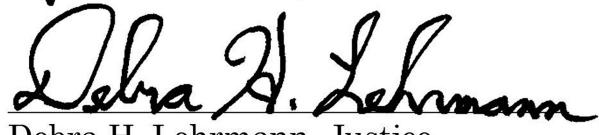
**ORDERED** that:

1. On August 29, 2025, in Misc. Dkt. No. 25-9064, the Court repealed former Texas Rule of Evidence 412 and replaced it with a new rule.
2. New Texas Rule of Evidence 412 took effect on September 1, 2025, and the Court invited public comment until December 1, 2025.
3. Following the comment period, the Court amended the new rule. This order incorporates the amendments and contains the final version of the new rule, effective January 1, 2026. The final version is shown in both redline and clean forms. The redline form shows changes made since Misc. Dkt. No. 25-9064.
4. As stated in Misc. Dkt. No. 25-9064, for criminal proceedings commencing before September 1, 2025, the rule in effect on the date the proceeding commenced governs.
5. The Clerk is directed to:
  - a. file a copy of this order with the Secretary of State;
  - b. cause a copy of this order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
  - c. send a copy of this order to the Governor, the Lieutenant Governor, and each elected member of the Legislature; and
  - d. submit a copy of this order for publication in the *Texas Register*.

Dated: December 19, 2025.



James D. Blacklock, Chief Justice



Debra H. Lehrmann, Justice



John P. Devine, Justice



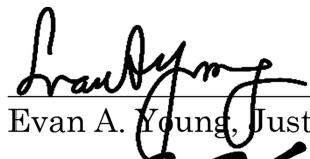
J. Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Evan A. Young, Justice



James P. Sullivan, Justice



Kyle D. Hawkins, Justice

## TEXAS RULES OF EVIDENCE

### Rule 412. Evidence of Previous Sexual Conduct in Criminal Cases

- (a) **Definition of "Victim."** In this rule, "victim" includes ~~the~~an alleged victim of the charged offense and ~~an~~ alleged victim of an extraneous offense or act ~~with respect to which evidence is introduced during the prosecution of an offense described in paragraph~~subdivision (b).
- (b) **Applicable Offenses.** This rule applies ~~to a proceeding in the~~a prosecution of a defendant for an offense, or for an attempt or conspiracy to commit an offense, under any of the following provisions of the Texas Penal Code:
  - (1) Section 20A.02(a)(3), (4), (7), or (8) (Trafficking of Persons);
  - (2) Section 20A.03 (Continuous Trafficking of Persons), if the offense is based partly or wholly on conduct that constitutes an offense under Section 20A.02(a)(3), (4), (7), or (8);
  - (3) Section 21.02 (Continuous Sexual Abuse of Young Child or Disabled Individual);
  - (4) Section 21.11 (Indecency with a Child);
  - (5) Section 22.011 (Sexual Assault);
  - (6) Section 22.012 (Indecent Assault); or
  - (7) Section 22.021 (Aggravated Sexual Assault).
- (c) **Reputation or Opinion Evidence.** In the prosecution of an offense described in ~~paragraph~~subdivision (b), reputation or opinion evidence of ~~an~~alleged victim's past sexual behavior is not admissible.
- (d) **Evidence of a Specific Instance of Past Sexual Behavior.**
  - (1) ***In General.*** ~~Except as provided in paragraph~~(2), in In the prosecution of an offense described in ~~paragraph~~subdivision (b), evidence of a specific instance of ~~an~~alleged victim's past sexual behavior is not admissible.
  - (2) ***Exceptions; Procedure for Offering Evidence.*** ~~A defendant may not offer evidence~~Evidence of a specific instance of ~~an~~alleged victim's past sexual behavior ~~unless~~is admissible only if the court:

(A) ~~on a motion by the defendant made outside the presence of the jury, conducts an in camera examination of the evidence in the presence of the court reporter; and admits the evidence in accordance with subdivision (e);~~

(B) ~~determines that the probative value of the evidence outweighs the danger of unfair prejudice to the alleged victim and that the evidence finds that the evidence:~~

- (i) is necessary to rebut or explain scientific or medical evidence offered by the attorney representing the state;
- (ii) concerns past sexual behavior with the defendant and is offered by the defendant to prove consent, if the lack of consent is an element of the offense;
- (iii) relates to the ~~alleged~~ victim's motive or bias;
- (iv) is admissible under Rule 609; or
- (v) is constitutionally required to be admitted; and

(C) determines that the probative value of the evidence outweighs the danger of unfair prejudice to the victim.

**(e) Procedure for Offering Evidence; Record Sealed.**

(1) **Offering Evidence.** Before offering evidence of a specific instance of a victim's past sexual behavior, a defendant must, outside the presence of the jury, move to do so. The court must then conduct an in camera examination of the evidence in the presence of a court reporter and determine whether it is admissible. A defendant may not refer in the jury's presence to any evidence of a victim's past sexual behavior without first obtaining such a ruling from the court.

(2) **Record Sealed.** The court must seal the record of the in camera examination conducted under paragraph (1) and preserve the examination record as part of the record in the case.

**Notes and Comments**

**Comment to 2025 Change:** Former Rule 412 is repealed and replaced with this rule to implement Senate Bill 535, enacted by the 89th Legislature, and article 38.872 of the Texas Code of Criminal Procedure.

## TEXAS RULES OF EVIDENCE

### Rule 412. Evidence of Previous Sexual Conduct in Criminal Cases

(a) **Definition of “Victim.”** In this rule, “victim” includes an alleged victim of the charged offense and an alleged victim of an extraneous offense or act described in subdivision (b).

(b) **Applicable Offenses.** This rule applies in a prosecution of a defendant for an offense, or for an attempt or conspiracy to commit an offense, under any of the following provisions of the Texas Penal Code:

- (1) Section 20A.02(a)(3), (4), (7), or (8) (Trafficking of Persons);
- (2) Section 20A.03 (Continuous Trafficking of Persons), if the offense is based partly or wholly on conduct that constitutes an offense under Section 20A.02(a)(3), (4), (7), or (8);
- (3) Section 21.02 (Continuous Sexual Abuse of Young Child or Disabled Individual);
- (4) Section 21.11 (Indecency with a Child);
- (5) Section 22.011 (Sexual Assault);
- (6) Section 22.012 (Indecent Assault); or
- (7) Section 22.021 (Aggravated Sexual Assault).

(c) **Reputation or Opinion Evidence.** In the prosecution of an offense described in subdivision (b), reputation or opinion evidence of a victim’s past sexual behavior is not admissible.

(d) **Evidence of a Specific Instance of Past Sexual Behavior.**

- (1) ***In General.*** In the prosecution of an offense described in subdivision (b), evidence of a specific instance of a victim’s past sexual behavior is not admissible.
- (2) ***Exceptions.*** Evidence of a specific instance of a victim’s past sexual behavior is admissible only if the court:
  - (A) admits the evidence in accordance with subdivision (e);

**(B)** finds that the evidence:

- (i)** is necessary to rebut or explain scientific or medical evidence offered by the attorney representing the state;
- (ii)** concerns past sexual behavior with the defendant and is offered by the defendant to prove consent, if the lack of consent is an element of the offense;
- (iii)** relates to the victim's motive or bias;
- (iv)** is admissible under Rule 609; or
- (v)** is constitutionally required to be admitted; and

**(C)** determines that the probative value of the evidence outweighs the danger of unfair prejudice to the victim.

**(e) Procedure for Offering Evidence; Record Sealed.**

- (1) Offering Evidence.** Before offering evidence of a specific instance of a victim's past sexual behavior, a defendant must, outside the presence of the jury, move to do so. The court must then conduct an in camera examination of the evidence in the presence of a court reporter and determine whether it is admissible. A defendant may not refer in the jury's presence to any evidence of a victim's past sexual behavior without first obtaining such a ruling from the court.
- (1) Record Sealed.** The court must seal the record of the in camera examination conducted under paragraph (e)(1) and preserve it as part of the record in the case.

**Notes and Comments**

**Comment to 2025 Change:** Former Rule 412 is repealed and replaced with this rule to implement Senate Bill 535, enacted by the 89th Legislature, and article 38.872 of the Texas Code of Criminal Procedure.

TRD-202504775  
Jaclyn Daumerie  
Rules Attorney  
Supreme Court of Texas  
Filed: December 19, 2025

