



89th Legislative Session

Understanding the New Laws: Information for Survivors of Family Violence



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Table of Contents

<u>Introduction</u>	3
<u>HB 4238: Stronger Protections Against Coerced Debt</u>	4
<u>HB 3783: Safety in Court- Ordered Family Counseling</u>	9
<u>SB 1120: Expanded Crime Victim Rights</u>	13
<u>Resources for Support</u>	17

Introduction

“ I’m so impressed with advocates and survivors that come to the Capitol and that’s what inspires me. Seeing people come and share their stories to influence change for others is absolutely incredible and being able to see the laws that we pass make a change in people’s lives—there is nothing compared to that. ~Representative Lacey Hull

The Texas Council on Family Violence (TCFV) is Texas’ statewide coalition dedicated to creating a safer Texas and promoting freedom from family violence. Through its collective strength of nearly 1500 individual Texans and ~100 family violence program members, TCFV shapes public policy, equips service providers, stands with communities to create coordinated community responses, and initiates strategic prevention efforts. TCFV serves as a unified voice before the Texas Legislature, informed by service providers and bolstered by survivors raising up their voices.

TCFV offers this information to support you as a survivor, however, this document does not constitute legal advice. The new laws in this guide may or may not have relevance to your situation, but we offer this information so that you can know your rights, protections, and options under the law as needed. The new laws featured here were part of the TCFV’s legislative agenda or our “Bills of note” which are bills on which we took action. You can find our full [89th Legislative Update here](#) and our [Bills of Note list here](#).

TCFV extends deep gratitude to the legislators, and their dedicated staff, who authored or sponsored the bills in this guidance, including Senator Juan “Chuy” Hinojosa, Senator Huffman, Representative Hull, Representative Johnson, Representative Meyer, Senator Parker, and Senator Zaffirini.

Please reach out to us at policy@tcfv.org with any questions about this guidance.

HB 4238

Stronger Protections Against Coerced Debt

Author: Representative Meyer
Sponsor: Senator Zaffirini

HB 4238: Stronger Protections Against Coerced Debt

Overview

In the 89th legislative session, a new law passed, [HB 4238](#), which expands the ability to use laws for survivors who experience coerced debt. Texas law recognizes coerced debt as a type of identity theft, which is a crime.

Coerced debt is a form of financial abuse in which an abusive partner takes out debt in the survivor's name through fraud, threats, intimidation, or coercion. Common examples include:

- Opening credit cards, loans, or utilities in the survivor's name without consent;
- Forcing or pressuring the survivor to sign for a loan, vehicle, or mortgage under duress, including threats of violence or harm;
- Misusing the survivor's personal identifying information.

If you've experienced coerced debt, it is a form of financial abuse. This guidance seeks to inform you of these changes in the law and that you have expanded protection from debt collectors if you are the victim of identity theft, including coerced debt. Please feel free to review the new law changes on your own, or with an advocate at your local family violence program who can assist you as you safety plan. If you are not already working with an advocate you can locate a family violence program in your area using [TCFV's Statewide Directory of Family Violence Programs](#) or you can contact the [National Domestic Violence Hotline](#) at 1.800.799.SAFE (7233) or text "START" to 88788. You may also need support from an attorney and below we will offer resources for that as well.

Legislative History

Texas' coerced-debt laws were created to help survivors who were forced by an abusive partner to take on debt, either without their knowledge or through coercion. These laws use the idea of "effective consent," which means that consent doesn't count if it was obtained through force, threats, or fraud. In 2019, [HB 2697](#) changed the criminal law so that if an abusive partner used your personal information to create debt under those circumstances, it would legally be considered identity theft. This allowed abusive partners to be held criminally

HB 4238: Stronger Protections Against Coerced Debt (continued)

Legislative History (continued)

accountable and gave survivors the protections offered to identity-theft victims. In 2021, [HB 3529](#) made the same change in civil law, allowing survivors to challenge coerced debts and access state identity-theft protections without having to file a police report. Together, these laws created Texas's first and second coerced debt protections, giving survivors clearer paths to safety and financial recovery. 2025's [HB 4238](#) ensures that, if you get an identity theft order from a Texas district court or similar order from another state, creditors and debt collectors must stop trying to collect debts that were never yours. Creditors can still take lawful action to collect the debt from the person who actually incurred it — the abusive party — but they cannot try to collect it from you once you show proof that you are a survivor of identity theft.

This new law became active on September 1, 2025. Survivors can learn more and find step-by-step tools through [Texas Appleseed's Coerced Debt resources](#), the [Coerced Debt Toolkit created by Texas Appleseed & the Texas Coalition on Coerced Debt](#), and the [Coerced Debt Toolkit available through Texas Law Help](#).

Key Change: If You are a Victim of Identity Theft, a Debt Collector Cannot Try to Collect the Debt From You.

A creditor, debt collector, or third-party debt collector cannot try to collect debt resulting from identity theft from you as the survivor, which may have occurred through your current or former partner forcing you to take out a loan, credit card or mortgage in your name or if they did so on their own without your consent. A debt collector also cannot sell the debt to a third-party collector to try to collect the debt from you as the victim but can do so to try to collect the debt from the perpetrator of identity theft.

HB 4238: Stronger Protections Against Coerced Debt (continued)

How to Stop Collection Attempts

1. Obtain a Chapter 521 Identity Theft Order: A Chapter 521 order is a court order issued by a Texas judge confirming that you are a victim of identity theft. Survivors can request this order by filing a petition in court. Your local family violence program or legal aid organization may be able to help you understand the process and connect you to legal resources. Legal support options are listed below.
2. Provide the order to the creditor or debt collector: Once a creditor or debt collector receives a copy of your Chapter 521 order, they must:
 - Stop contacting you or trying to collect the debt within seven business days.
 - Notify credit bureaus and others that the debt is disputed and not collectible from you.

Victims of identity theft in Texas can prove they have experienced this crime through a Chapter 521 order. Creditors and debt collectors cannot attempt to collect any portion of a debt from you if you have this order, or a similar one from another state.

Once a creditor or debt collector receives the form, they must stop all efforts to collect the debt from you within seven business days. The debt collector must also send to each person who has previously received a report relating to that debt from the creditor, debt collector, or third-party debt collector notice that the debt is disputed under this section and not collectible from you as the victim.

Key Change: Debt Collectors Can Pursue the Perpetrator of the Identity Theft

A creditor, debt collector, or third-party debt collector can take action and use any lawful means to try to collect the debt from the person who committed the identity theft. This new law helps protect your credit, your financial future, and your peace of mind. It recognizes that coerced debt is a form of financial control often used in abusive relationships—and that survivors deserve relief, not further harm.

HB 4238: Stronger Protections Against Coerced Debt (continued)

Legal Support Options

If you think you may need a Chapter 521 Identity Theft Order or have questions about how to file please contact one of the legal support agencies named above. You can also ask an advocate to connect you with attorneys who can assist in filing the necessary court paperwork. Also, if you would like to seek guidance from an attorney are not represented, you can explore the following options:

- [Texas Advocacy Project](#) | Statewide
- [Texas Legal Services Center](#) | Statewide
- [Texas Law Help](#) | Statewide
- [Legal Aid of Northwest Texas](#) | North and West Texas
- [Lone Star Legal Aid](#) | East and Southeast Texas
- [Texas Rio Grande Legal Aid](#) | Southwest Texas
- [WomensLaw](#) | National

If you have any questions about using this new law, we encourage you to contact your local family violence program, which again, you can find here: [2025 TCFV Statewide Directory of Family Violence Service Programs](#).

If you have any questions about legislative work in our state related to this new law, please contact the Policy Team at the Texas Council on Family Violence at policy@tcfv.org.

HB 3783

Safety in Court-Ordered Family Counseling

Author: Representative Hull
Sponsor: Senator Parker

HB 3783: Safety in Court-Ordered Family Counseling

Overview

In the 89th regular legislative session a new law passed, HB 3783 by Representative Lacey Hull, which states that courts cannot order joint or family counseling sessions in Suits Affecting Parent Child Relationships (SAPCRs, aka custody cases) when the court finds credible evidence of family violence or sexual abuse. changed Section 153.010 of the Texas Family Code and represents a step forward in ensuring that you as a survivor are not forced to participate in potentially retraumatizing therapy with an abusive partner or former partner. It also is meant to stop children from being forced into family counseling if they experienced abuse from the other parent in the custody case.

The new law also bans coercive practices that are used in family reunification therapy (FRT), like isolating children from their support systems or you as their protective parent, during court-ordered counseling. This law also states that the court cannot order counseling that forces a child to stay overnight or have multiple day stays out of state or in another location, transports the child by force or otherwise uses force or threat of force to keep a child away from a safe parent. These are all practices often used in FRT.

Additionally, the new law promotes training for mental health professionals involved in such counseling so that they receive training in the dynamics of family violence. Below is a full list of practices that are no longer allowed under this law.

Key Change: Consideration of Evidence When Ordering Family Counseling

Before passage of this law, the court could order parties with a history of conflict in custody cases (such as conservatorship or possession cases) to participate in counseling but did not offer protections for survivors of family violence and their children in these cases. Now the law states that the court may not order family or joint counseling if credible evidence of family violence or sexual abuse is presented, family reunification therapy practices are not allowed, and the court cannot order you as the survivor to pay any cost of the counseling.

HB 3783:

Safety in Court-Ordered Family Counseling (continued)

Key Change: Prohibition of Family Reunification Practices

This new law prohibits FRT practices, including counseling that would involve:

- The isolation of a child/children named in the custody order from their parent, family school, religious community or other community;
- The child/children named in the custody order staying overnight or having multiple day stays out of state or in another location regardless of whether the child is accompanied by a parent or other family member;
- Transport of a child/children named in the custody order by force, threat of force, undue coercion, or other action that places the child's safety at risk;
- A temporary or permanent change in the periods of possession of or access to a child/children named in the custody order that the other parent would not otherwise be entitled to; or
- The use of force, threat of force, undue coercion, or verbal abuse against a child/children named in the custody order as part of counseling, transportation of a child/children named in order by force or threat, a temporary or permanent change in periods of possession or access, and any use of force, threat, undue coercion or verbal abuse against a child/children named in the order.

These changes in the law may be used to improve your and/or your children's safety if you have a case in custody court. The law may allow for a modification of a court order or portion of a decree that provides for the possession of or access to a child that was ordered before June 20, 2025, which is the effective date of this law. Once the law was signed by the Governor on this date, it immediately applied to any active SAPCR cases, aka custody cases, that were awaiting hearings.

HB 3783: Safety in Court-Ordered Family Counseling (continued)

Supportive Resources

Please feel free to review the new law changes on your own, or with an advocate at your local family violence program. If you are not already working with an advocate you can locate a family violence program in your area using [TCFV's Statewide Directory of Family Violence Programs](#) or you can contact the [National Domestic Violence Hotline](#) at 1.800.799.SAFE (7233) or text "START" to 88788.

If you are not represented by an attorney, you can explore the following options to retain an attorney:

- [Texas Advocacy Project](#) | Statewide
- [Texas Legal Services Center](#) | Statewide
- [Texas Law Help](#) | Statewide
- [Legal Aid of Northwest Texas](#) | North and West Texas
- [Lone Star Legal Aid](#) | East and Southeast Texas
- [Texas Rio Grande Legal Aid](#) | Southwest Texas
- [WomensLaw](#) | National

If you have any questions about legislative work in our state related to this new law, please contact the Policy Team at the Texas Council on Family Violence at policy@tcfv.org.

SB 1120

Expanded Crime Victims' Rights

Author: Senator Juan “Chuy” Hinojosa
& Senator Huffman

Sponsor: Representative Johnson

SB 1120: Expanded Crime Victims' Rights

Overview

In the 89th legislative session, a new law passed, [Senate Bill 1120](#), which expands the crime victims' rights family violence survivors have when involved in the criminal justice system. These rights expand the choices, information and voice you as a survivor have in the criminal justice process, which we recognize can feel retraumatizing, difficult and disempowering at times. Please feel free to review these rights on your own, or with an advocate at your local family violence program if you want support on using your rights. You can find your local family violence program here: [TCFV Statewide Directory of Family Violence Service Programs](#) or you can contact the [National Domestic Violence Hotline](#) at 1.800.799.SAFE (7233) or text "START" to 88788.

Crime Victims' Rights

The Crime Victims' Bill of Rights grants victims of crimes legal rights related to the investigation and prosecution of their case. Victims of family violence are included in the group of victims who qualify for certain protections and rights. This guidance will share the NEW rights afforded to survivors of family violence but will not cover all of the rights you have. You can learn more about your rights as a crime victim through the [Office of the Attorney General](#).

Key Change: You Have the Right to be Notified of Certain Information

You have the right to information about evidence including the rights to:

- Obtain information regarding:
- evidence that was collected during investigation; and
- the status of any analysis being performed on evidence.
- Be notified when a request is submitted to a crime lab to process evidence.

Please note that if sharing information about the evidence would interfere with the investigation or prosecution of the crime, you have the right to be informed of the estimated date on which that information is expected to be given to you.

SB 1120: Expanded Crime Victims' Rights (continued)

Key Change: You Have the Right to be Notified of Certain Information (continued)

You have the right to information about the defendant's parole conditions, if they are on parole, including:

- the defendant's release on parole for the offense involving you as the victim, including:
- the county where the defendant is required to reside and
- the nonconfidential conditions of the defendant's parole, including any condition:
- prohibiting the defendant from going near the victim's home or work; or
- requiring the defendant to complete a Battering Intervention and Prevention Program (BIPP);
- any offense the defendant is charged with while released on parole;
- the issuance of any warrant for the defendant; and
- any revocation of the defendant's parole for the offense involving the victim.

Additionally, the new law states that an advocate for a victim is entitled to obtain this information on your behalf as the victim, if you choose to give the advocate permission to do so.

Key Change: You Have the Right to Request a Discussion About Disposition Decisions with the Prosecutor

You have the right to:

- Be informed about and ask to confer with the attorney representing the state regarding the disposition of the offense. Disposition decisions are decisions that will affect the outcome of the case. This can include you sharing your views about:
- a decision not to file charges;
- dismissal of charges;
- use of pretrial intervention program; or
- plea agreements;

SB 1120: Expanded Crime Victims' Rights (continued)

Key Change: You Have the Right to Request a Discussion About Disposition Decisions with the Prosecutor (continued)

You have the right to:

- Be notified that the attorney representing the state (also called a prosecutor or district attorney) does not represent you in the case. A prosecutor works on behalf of the government and community, not any one individual, so they do not serve as your personal lawyer. They should, however, uphold your crime victims rights, including honoring your right to request to talk with them about decisions regarding the possible outcome of the case. You have the right to secure your own attorney to assert your crime victim rights, if you choose to.

Key Change: Longer Duration of Certain Protective Orders

While this change does not fall within the Crime Victims' Bill of Rights, there was another important change made with this new law. The law extended the duration of certain protective orders, allowing them to be in effect longer. You may be eligible for an extended duration of a protective order if:

- If you have a protective order against the abusive party who is a party in a divorce, it will remain in effect until the second anniversary of the final divorce decree.
- If you have a protective order against the abusive party who is a party in a suit affecting parent child relationship (SAPCR, aka custody case) will remain in effect until the second anniversary of the final order.
- If you have a protective order against the abusive party who is charged with a criminal offense involving family violence the order will remain in effect until the second anniversary of the final disposition of the criminal case.

If you have any questions about these rights, we encourage you to contact your local family violence program: [TCFV Statewide Directory of Family Violence Service Programs](#). If you have any questions about legislative work in our state related to these rights, please contact the Policy Team at the Texas Council on Family Violence at policy@tcfv.org.

Resources for Support

If you are in need of support, help is available. The resources below may be able to offer assistance.

Advocacy & Safety:

- [TCFV's Statewide Directory of Family Violence Programs](#): This directory can help you find confidential and free family violence services near you.
- [National Domestic Violence Hotline](#) at 1.800.799.SAFE (7233) or text "START" to 88788. Offers 24/7 confidential support as well as referrals to local family violence programs.
- [TCFV Website](#): Access resources that can assist with safety planning, legal resources, lease termination, utility waivers and more.

Legal Resources:

- [Texas Advocacy Project](#) | Statewide
- [Texas Legal Services Center](#) | Statewide
- [Texas Law Help](#) | Statewide
- [Legal Aid of Northwest Texas](#) | North/West Texas
- [Lone Star Legal Aid](#) | East and Southeast Texas
- [Texas Rio Grande Legal Aid](#) | Southwest Texas
- [WomensLaw](#) | National

Our laws should reflect our values. We value freedom, but no woman is truly free if she has to live in fear. And we value family, but no family can thrive when it's living under the shadow of abuse. To victims, I want you to know you're not alone...and to my colleagues, it's time to stand up. ~Representative Rhetta Andrews Bowers

Contact Us!

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tcfv.org/public-policy

