

By: Frank

H.J.R. No. 46

A JOINT RESOLUTION

1 proposing a constitutional amendment establishing a right for  
2 residents of certain facilities to designate an essential caregiver  
3 for in-person visitation.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article I, Texas Constitution, is amended by  
6 adding Section 35 to read as follows:

7 Sec. 35. (a) A resident of a nursing facility, assisted  
8 living facility, or state supported living center, as those terms  
9 are defined by general law, has the right to designate at least one  
10 essential caregiver with whom the facility or center may not  
11 prohibit in-person visitation.

12 (b) The legislature by general law may provide for  
13 guidelines for a facility or center described by Subsection (a) of  
14 this section to follow in establishing essential caregiver  
15 visitation policies and procedures.

16 SECTION 2. This proposed constitutional amendment shall be  
17 submitted to the voters at an election to be held November 2, 2021.  
18 The ballot shall be printed to permit voting for or against the  
19 proposition: "The constitutional amendment establishing a right  
20 for residents of certain facilities to designate an essential  
21 caregiver for in-person visitation."