

## **BILL ANALYSIS**

C.S.H.J.R. 75  
By: Chisum  
County Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Due to the particular hardships of senior citizens in Texas, additional attention is often needed to address the important needs of seniors. This bill proposes a constitutional amendment to allow for the creation of the office of a county senior citizens advisor.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. The commissioners court of a county shall call an election to be held regarding the creation of the office of senior citizens advisor if the commissioners court receives a petition of registered voters requesting the election. An election will occur on the date of the first general election for state and county officers that occurs after the 90th day after the date the petition is submitted to the commissioners court. The office of senior citizens advisor is created only if the majority of votes favor the creation of the position.

The advisor will be elected by the voters for a term of four years. Following the election creating the office, the commissioners court shall appoint a person to fill the position until the end of the year in which the next general election is held. Vacancies of the office shall be filled by the commissioners court.

The court shall set the duties of the office, which must include: making findings of fact on matters that affect senior citizens and on which assistance is requested. Such assistance includes filing complaints with agencies on the citizens' behalf, referring the findings to a prosecutor, or negotiating on behalf of the senior with a public or private entity. The senior citizens advisor is to conduct seminars for senior citizens to promote their safety, help them recognize fraudulent business schemes, and raise other issues affecting the citizens to enhance community awareness.

The advisor may not make policy for the county without the consent of the commissioners court. The court may allocate funds or resources for the office of the advisor. Unless funds are made available by the court, the advisor is not entitled to compensation incurred while serving in the office; nor is the advisor authorized to perform a duty that involves the commitment of county funds without the court's approval. The advisor is not liable for an act or omission made in good faith.

With a petition signed by registered voters, the commissioners court may hold an election to abolish the office of senior citizens advisor. The election will be held on the date of the first general election that occurs after the 90th day after the petition is submitted. If a majority of votes favors the abolition of the office, the office of senior citizens advisor is abolished on the first day of the year following the year of the election.

### **EFFECTIVE DATE**

November 4, 2003

### **FOR ELECTION**

This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 4, 2003.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

Amends Section 1. Article IX, Texas Constitution, Section 15 (l).

