

By: Sanford

H.J.R. No. 110

A JOINT RESOLUTION

1 proposing a constitutional amendment establishing a right for  
2 residents of certain long-term care facilities to designate an  
3 essential caregiver who is provided meaningful access to the  
4 resident during public health emergencies.

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

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

8 Sec. 35. (a) Each nursing facility, assisted living  
9 facility, intermediate care facility, and state supported living  
10 center, as those terms are defined by general law, shall develop and  
11 implement policies and procedures to allow each resident of the  
12 facility or center to designate at least one essential caregiver  
13 who is provided meaningful access to the resident, including  
14 in-person visitation, during a public health emergency declared  
15 under general law.

16 (b) The legislature by general law may prescribe guidelines  
17 for a facility or center described by Subsection (a) of this section  
18 to follow in establishing essential caregiver visitation policies  
19 and procedures.

20 SECTION 2. This proposed constitutional amendment shall be  
21 submitted to the voters at an election to be held November 2, 2021.  
22 The ballot shall be printed to permit voting for or against the  
23 proposition: "The constitutional amendment establishing a right  
24 for residents of certain long-term care facilities to designate an

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1 essential caregiver who is provided meaningful access to the  
2 resident during public health emergencies."