

BILL ANALYSIS

Senate Research Center
88R10247 LRM-D

S.J.R. 66
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The COVID-19 pandemic (pandemic) illustrated the fact that government will infringe the rights of individuals in the name of safety. During the pandemic, under an emergency declaration, many restrictions were enacted including closing non-essential businesses, requiring the use of facial masks, prohibiting in-person visitation at hospitals and nursing homes, closing all public and private schools, prohibiting the gathering of more than ten people, and halting all elective surgeries.

These measures greatly impacted the economy and people's well-being, and in some ways, the effects are permanent. Children will not recapture lost classroom time, others will not get over the effect long-term isolation had on them or their family members, and shuttered businesses will not reopen.

There are some things that must remain exclusively under the discretion of individuals, regardless of the emergency situation at the time, and consenting to medical treatments is one of those things.

This bill would allow Texans to vote on a constitutional amendment guaranteeing the right of individuals to refuse medical treatments, including a procedure, vaccine, medical device, or prophylactic. No person would be able to interfere or impede this right in any manner.

The bill would also prohibit a person from restricting or denying an individual's access to public accommodations based on the exercise of their right to refuse a medical treatment.

S.J.R. 66 proposes a constitutional amendment guaranteeing the right of individuals to refuse medical treatments and to access public accommodations.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article I, Texas Constitution, by adding Section 36, as follows:

Sec. 36. RIGHT TO REFUSE MEDICAL TREATMENT; ACCESS TO PUBLIC ACCOMMODATIONS. (a) Provides that each individual residing in this state has the right to refuse any medical treatment, including a procedure, vaccine, medical device, or prophylactic, and a person is prohibited from interfering with or impeding that right in any manner.

(b) Prohibits a person from restricting or denying an individual's access to public accommodations based on the individual's exercise of the right guaranteed under Subsection (a) of this section to refuse a medical treatment.

SECTION 2. Requires that this proposed constitutional amendment be submitted to the voters at an election to be held November 7, 2023. Sets forth the required language of the ballot.