

SUBJECT: Implementing the results of a voter referendum on daylight saving time

COMMITTEE: State Affairs — favorable, without amendment

VOTE: 11 ayes — Phelan, Hernandez, Deshotel, Guerra, Harless, Holland, Hunter, P. King, Parker, E. Rodriguez, Springer

1 nay — Smithee

1 absent — Raymond

WITNESSES: For — Ben Farmer, Endtimechangetexas.com; (*Registered, but did not testify*: James Dickey, Republican Party of Texas; Phil Bunker, Teamsters Joint Council 58; Jason Vaughn, Texas Young Republicans; and seven individuals)

Against — Martha Habluetzel, Campaign to Opt Out of Daylight Saving Time in Texas

BACKGROUND: Government Code sec. 312.016 establishes the standard time in Texas as central standard time and the standard time in a region of the state as mountain standard time.

15 U.S.C. sec. 260(a) allows any state to exempt itself from daylight saving time. A state that covers more than one time zone, such as Texas, may exempt either the entire state or the area of the state lying within any time zone.

DIGEST: HB 3784 would implement the results of a statewide referendum on the November 5, 2019, general election ballot. This referendum would allow Texas voters to indicate a preference for either exempting the state from daylight saving time or observing daylight saving time year-round.

If voters indicated a preference for exempting the state from daylight saving time, HB 3784 would exempt Texas from provisions in federal law that establish daylight saving time. The exemption would apply to all

portions of the state and would take effect January 1, 2020.

If the majority of votes cast in the statewide referendum were in favor of observing daylight saving time year-round, the bill would require Texas, acting as authorized under federal law, to observe daylight saving time year-round. That provision would take effect only if the U.S. Congress enacted legislation that authorized Texas to observe daylight saving time year-round. If Congress did not enact such legislation, this provision of HB 3784 would have no effect.

The proposition for the referendum would have to be printed on the ballot under the heading "Referendum Proposition" immediately following the proposed constitutional amendment authorizing a statewide referendum to allow the voters to choose between exempting the state from daylight saving time and observing daylight saving time year-round.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

**SUPPORTERS
SAY:**

HB 3784 would settle the longstanding debate about whether Texas should stay on either standard time or daylight saving time year-round by implementing the results of a statewide referendum to be held on the November 2019 ballot. Staying on the same time year-round would end the requirement that Texans change their clocks twice a year to "spring forward" and "fall back." These time changes disrupt people's circadian rhythms and can cause sleep disruption that has been linked to increased accidents and health concerns.

If voters chose to stay on standard time year-round, there would be no need to move clocks forward an hour in March 2020. Federal law allows this exemption, and Arizona and Hawaii have used it without causing confusion for their residents. If voters selected year-round daylight saving time, Texas would add its voice to that of other states asking Congress to allow that choice.

OPPONENTS
SAY:

HB 3784 would give Texas voters a false choice to stay on daylight saving time year-round, which may not be an option under federal law. Congress has not responded to similar initiatives from California and Florida, and Texas should not spend resources on an effort that may be futile.

If voters chose to exempt Texas from daylight saving time, it could be confusing for residents when most of the country was still following the mandate. Texas might want to wait for Congress to eliminate daylight saving time before taking action that could isolate it from other states.

NOTES:

HB 3784 is the enabling legislation for HJR 117 by Larson, which would amend the Texas Constitution to allow the Legislature to hold a statewide referendum that asked voters to indicate a preference for either exempting Texas from daylight saving time or observing daylight saving time year-round. HJR 117 was passed to engrossment by the House on April 23.