

By: Larson

H.B. No. 1405

A BILL TO BE ENTITLED

AN ACT

1
2 relating to authorizing a statewide referendum allowing voters to
3 indicate a preference for observing standard time year-round or
4 observing daylight saving time year-round.

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

6 SECTION 1. Section 312.016, Government Code, is amended by
7 adding Subsection (d) to read as follows:

8 (d) The state, acting under the exemption provisions of
9 Section 3(a), Uniform Time Act of 1966 (15 U.S.C. Section 260a(a)),
10 is exempt from the provisions of that law that establish daylight
11 saving time. The exemption provided by this subsection applies to
12 both the portion of the state using central standard time as the
13 official standard time and the portion of the state using mountain
14 standard time as the official standard time.

15 SECTION 2. Section 312.016, Government Code, is amended by
16 adding Subsection (d) to read as follows:

17 (d) The state, acting as authorized under federal law, shall
18 observe daylight saving time year-round. This subsection applies
19 to both the portion of the state using central standard time as the
20 official standard time and the portion of the state using mountain
21 standard time as the official standard time.

22 SECTION 3. (a) At the general election to be held on
23 November 2, 2021, a statewide referendum shall be conducted to
24 allow the voters of this state to indicate a preference for either:

1 (1) observing standard time year-round; or

2 (2) observing daylight saving time year-round.

3 (b) The ballot for the referendum shall be printed to state
4 as follows: "Which of the following do you prefer?"

5 "Observing standard time year-round."

6 "Observing daylight saving time year-round."

7 (c) The secretary of state shall design the ballot for the
8 referendum to enable a voter to select either of the statements set
9 out in Subsection (b) of this section as the voter's preference.

10 (d) The proposition for the referendum shall be printed on
11 the ballot under the heading: "Referendum Proposition" immediately
12 following the proposed constitutional amendment authorizing a
13 statewide referendum to allow the voters to choose between
14 observing standard time year-round and observing daylight saving
15 time year-round.

16 (e) Notice of the election shall be given in the same manner
17 that notice of proposed constitutional amendments is given.

18 (f) Returns of the votes cast on the proposition shall be
19 prepared and canvassed in the same manner as the returns on the
20 proposed constitutional amendments. Immediately after the results
21 of the election are certified, the secretary of state shall
22 transmit a copy of the certification to the lieutenant governor and
23 the speaker of the house of representatives.

24 SECTION 4. (a) If a majority of the votes cast in the
25 statewide referendum under Section 3 of this Act are in favor of
26 "Observing standard time year-round," Section 1 of this Act takes
27 effect January 1, 2022, and Section 2 of this Act does not take

1 effect.

2 (b) If a majority of the votes cast in the referendum under
3 Section 3 are in favor of "Observing daylight saving time
4 year-round," Section 1 of this Act does not take effect and Section
5 2 of this Act takes effect only if the United States Congress enacts
6 legislation that becomes law that authorizes the State of Texas to
7 observe daylight saving time year-round. If the United States
8 Congress does not enact legislation that becomes law described by
9 this subsection, Section 2 of this Act has no effect.

10 SECTION 5. Sections 3 and 4 of this Act and this section
11 take effect immediately if this Act receives a vote of two-thirds of
12 all the members elected to each house, as provided by Section 39,
13 Article III, Texas Constitution. If this Act does not receive the
14 vote necessary for immediate effect, Sections 3 and 4 of this Act
15 and this section take effect on the 91st day after the last day of
16 the legislative session.