

By: Larson

H.B. No. 3784

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to authorizing a statewide referendum allowing voters to  
3 indicate a preference for exempting the state from daylight saving  
4 time or 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 5, 2019, a statewide referendum shall be conducted to  
24 allow the voters of this state to indicate a preference for either:

1 (1) exempting the state from daylight saving time; 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 with respect to daylight saving  
5 time do you prefer?

6 "Exempting the state from daylight saving time."

7 "Observing daylight saving time year-round."

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

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

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

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

25 SECTION 4. (a) If a majority of the votes cast in the  
26 statewide referendum under Section 3 of this Act are in favor of  
27 "Exempting the state from daylight saving time," Section 1 of this

1 Act takes effect January 1, 2020, and Section 2 of this Act does not  
2 take effect.

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

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