

By: Goodwin

H.B. No. 1101

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

SECTION 3. (a) At the general election to be held on November 7, 2023, a statewide referendum shall be conducted to 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 the constitutional amendment proposed by  
25 the 88th Legislature, Regular Session, 2023, authorizing the  
26 statewide referendum under Section 3 of this Act is approved by the  
27 voters and if a majority of the votes cast in the statewide

1 referendum are in favor of "Observing standard time year-round,"  
2 Section 1 of this Act takes effect January 1, 2024, and Section 2 of  
3 this Act does not take effect.

4 (b) If the constitutional amendment proposed by the 88th  
5 Legislature, Regular Session, 2023, authorizing the statewide  
6 referendum under Section 3 of this Act is approved by the voters and  
7 if a majority of the votes cast in the statewide referendum are in  
8 favor of "Observing daylight saving time year-round," Section 1 of  
9 this Act does not take effect and Section 2 of this Act takes effect  
10 only if the United States Congress enacts legislation that becomes  
11 law that authorizes the State of Texas to observe daylight saving  
12 time year-round. If the United States Congress does not enact  
13 legislation that becomes law described by this subsection, Section  
14 2 of this Act has no effect.

15 SECTION 5. (a) Except as otherwise provided by this Act,  
16 this Act takes effect immediately if this Act receives a vote of  
17 two-thirds of all the members elected to each house, as provided by  
18 Section 39, Article III, Texas Constitution. If this Act does not  
19 receive the vote necessary for immediate effect, this Act takes  
20 effect September 1, 2023.

21 (b) This Act takes effect only if the 88th Legislature,  
22 Regular Session, 2023, proposes a constitutional amendment  
23 authorizing a referendum election on the issue of daylight saving  
24 time. If the 88th Legislature, Regular Session, 2023, does not  
25 propose such a constitutional amendment, this Act has no effect.

26 (c) Sections 1, 2, and 4 of this Act take effect only if the  
27 constitutional amendment proposed by the 88th Legislature, Regular

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1 Session, 2023, authorizing a referendum election on the issue of  
2 daylight saving time is approved by the voters. If that amendment  
3 is not approved by the voters, Sections 1, 2, and 4 of this Act have  
4 no effect.