

By: Zaffirini

S.B. No. 1297

A BILL TO BE ENTITLED

AN ACT

relating to observing standard time year-round and 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. (a) 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.

(b) This section takes effect November 6, 2023, to coincide with the end of daylight saving time for 2023.

SECTION 2. (a) 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.

1 (b) Section 312.016(d), Government Code, as added by this
2 section, becomes law only if a majority of the votes cast in the
3 statewide referendum authorized by Section 3 of this Act are in
4 favor of "Observing daylight saving time year-round." If a
5 majority of the votes cast in the statewide referendum authorized
6 by Section 3 of this Act are not in favor of "Observing daylight
7 saving time year-round," this section has no effect.

8 SECTION 3. (a) If the United States Congress enacts
9 legislation that becomes law that authorizes this state to observe
10 daylight saving time year-round, a statewide referendum shall be
11 conducted to allow the voters of this state to indicate a preference
12 for either:

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

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

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

17 "Observing standard time year-round."

18 "Observing daylight saving time year-round."

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

22 (d) The proposition for the referendum shall be printed on
23 the ballot under the heading: "Referendum Proposition."

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

26 (f) Returns of the votes cast on the proposition shall be
27 prepared and canvassed in the same manner as the returns on the

1 proposed constitutional amendments. Immediately after the results
2 of the election are certified, the secretary of state shall
3 transmit a copy of the certification to the lieutenant governor and
4 the speaker of the house of representatives.

5 (g) Except as provided by Subsection (h) of this section,
6 the statewide referendum under this section shall be held during
7 the first general election for state and county officers following
8 the date the United States Congress enacts legislation that becomes
9 law that authorizes this state to observe daylight saving time
10 year-round.

11 (h) If the date the United States Congress enacts
12 legislation that becomes law that authorizes this state to observe
13 daylight saving time year-round is less than 74 days before the date
14 of the next general election for state and county officers, the
15 statewide referendum under this section shall be held during the
16 second general election for state and county officers following the
17 date the United States Congress enacts legislation that becomes law
18 that authorizes this state to observe daylight saving time
19 year-round.

20 SECTION 4. (a) If the constitutional amendment proposed by
21 the 88th Legislature, Regular Session, 2023, authorizing the
22 statewide referendum under Section 3 of this Act is approved by the
23 voters and if a majority of the votes cast in the statewide
24 referendum are in favor of "Observing standard time year-round,"
25 Section 312.016(d), Government Code, as added by this Act, remains
26 in effect and Section 2 of this Act does not take effect.

27 (b) If the constitutional amendment proposed by the 88th

1 Legislature, Regular Session, 2023, authorizing the statewide
2 referendum under Section 3 of this Act is approved by the voters and
3 if a majority of the votes cast in the statewide referendum are in
4 favor of "Observing daylight saving time year-round," Section
5 312.016(d), Government Code, as added by this Act, is repealed and
6 Section 2 of this Act takes effect on the date daylight saving time
7 begins after the statewide referendum under Section 3 of this Act.

8 SECTION 5. (a) Except as otherwise provided by this Act,
9 this Act takes effect September 1, 2023.

10 (b) Sections 2, 3, and 4 of this Act take effect only if the
11 constitutional amendment proposed by the 88th Legislature, Regular
12 Session, 2023, authorizing a referendum election on the issue of
13 daylight saving time is approved by the voters. If that amendment
14 is not approved by the voters, Sections 2, 3, and 4 of this Act have
15 no effect.