

SUBJECT: Authorizing 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 — (*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: 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: HJR 117 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. The referendum would be held on the same day as the election on the constitutional amendment.

The ballot proposal would be presented to voters at an election on November 5, 2019, and would read: "The constitutional amendment authorizing the state to conduct a statewide referendum to allow the voters to choose between exempting the state from daylight saving time and observing daylight saving time year-round and authorizing the legislature to enact legislation that gives effect to the option preferred by a majority of the voters voting in the statewide referendum."

**SUPPORTERS
SAY:**

HJR 117 would give Texas voters an opportunity to express their preference to stay on either standard time or daylight saving time year-round by including that question 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, which causes sleep disruption and has been linked to serious issues, including increased traffic and workplace accidents. Studies have shown that heart attacks and rates of depression also increase around the time changes.

Legislation to end daylight saving time has been considered more than 20 times in the Texas Legislature since the federal uniform time change requirement was enacted in 1966. It has never passed because of differing opinions on whether standard time or daylight saving time would be the best to follow throughout the year. This ballot measure would help decide that issue. If voters chose to stay on standard time year-round, there would be no need to move clocks forward an hour in March 2020. If voters selected year-round daylight saving time, then Texas would become a leading voice in asking Congress to allow states to make that choice.

**OPPONENTS
SAY:**

The statewide referendum authorized by HJR 117 could 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 year-round daylight saving time initiatives from California and Florida, and Texas should not spend resources on an effort that may be futile. It might be better for Texans to continue changing their clocks twice a year or vote to end daylight saving time as Arizona and Hawaii have done.

It also could be confusing for Texas to exempt itself from daylight saving time when most of the country was still following the mandate. Texas might want to wait for Congress to act before passing a referendum to exempt the state from this national standard.

NOTES:

HB 3784 by Larson, the enabling legislation for HJR 117, is set for second reading consideration Wednesday on the General State Calendar.

According to the Legislative Budget Board, the cost to the state for publication of the resolution would be \$177,289.