

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 1013 Daylight Saving Time  
**SPONSOR(S):** Nuñez, Fitzenhagen and others  
**TIED BILLS:**           **IDEN./SIM. BILLS:** CS/SB 858

| REFERENCE   | ACTION    | ANALYST | STAFF DIRECTOR or<br>BUDGET/POLICY CHIEF |
|---|-----------|---------|--|
| 1) Local, Federal & Veterans Affairs Subcommittee | 11 Y, 0 N | Rivera  | Miller                                   |
| 2) Government Accountability Committee            | 18 Y, 0 N | Rivera  | Williamson                               |

### SUMMARY ANALYSIS

The United States Congress established a uniform standard of time, created standard time zones across the U.S., and adopted a national standard for Daylight Saving Time (DST) under the Uniform Time Act of 1966 (Act). The Act creates nine time zones and defines DST as the advancement of time by one hour from the second Sunday in March to the first Sunday in November. States may exempt themselves from observing DST and instead observe standard time year-round if certain conditions are met.

The bill declares the Legislature's intent to observe DST year-round throughout the entire state if federal law is amended to permit states to take such action.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Present Situation

###### The Standard Time Act of 1918

In 1918, the United States enacted the Standard Time Act, which adopted a national standard measure of time, created five standard time zones across the continental U.S., and instituted Daylight Saving Time (DST) nationwide as a war effort during World War I.<sup>1</sup> DST advanced standard time by one hour from the last Sunday in March to the last Sunday in October.<sup>2</sup> DST was repealed after the war but the standard time provisions remained in place.<sup>3</sup> During World War II, a national DST standard was revived and extended year-round from 1942 to 1945.<sup>4</sup>

###### Uniform Time Act of 1966

Following World War II and the end of the national observance of DST, state and local governments individually determined whether and how to observe DST, which caused confusion in business and industry.<sup>5</sup> The Uniform Time Act of 1966 (Act) revised the measure of standard time established by the Standard Time Act of 1918, created additional time zones, and adopted a uniform DST standard nationwide.<sup>6</sup>

The Act defines DST as the advancement of time by one hour from the second Sunday of March to the first Sunday of November.<sup>7</sup> The Act preempts state and local law regulating the observance of DST in any manner inconsistent with federal law.<sup>8</sup> However, states may exempt themselves from observing DST and instead observe standard time year-round by passing a state law if:

- The entire state lies within a single time zone and the exemption applies statewide; or
- The state lies in more than one time zone and the exemption applies to the entire state or to the entire part of the state within one time zone.<sup>9</sup>

Currently, DST is not observed in Hawaii, American Samoa, Guam, Puerto Rico, the Virgin Islands, and most of Arizona.<sup>10</sup>

The Act creates nine standard time zones.<sup>11</sup> The nine standard time zones are the Atlantic standard time (zone 1), eastern standard time (zone 2), central standard time (zone 3), mountain standard time

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<sup>1</sup> 40 Stat. 450 (1918). Germany was the first country to implement DST in 1916 to conserve fuel, take advantage of more usable daylight hours, and win the war. See Abigail Abrams, *Daylight Saving Time Is This Weekend. Here's What You Need to Know*, Time, Nov. 3, 2017, available at <http://time.com/5007531/when-is-daylight-saving-time-2017/> (accessed 1/19/18).

<sup>2</sup> 40 Stat. 451 (1918).

<sup>3</sup> See 56 Stat. 9 (1942).

<sup>4</sup> See Stephen Fidler, *Daylight-Saving Time*, Wall Street Journal, available at <http://online.wsj.com/ww1/daylight-saving-time> (accessed 1/19/18).

<sup>5</sup> Id.

<sup>6</sup> 15 U.S.C. ss. 260-267 (2017).

<sup>7</sup> 15 U.S.C. s. 260a(a) (2017). DST begins and ends at 2a.m. on each respective Sunday.

<sup>8</sup> 15 U.S.C. 260a(b) (2017).

<sup>9</sup> 15 U.S.C. s. 260a(a). The Act originally only allowed for the exemption of the entire state but the partial exemption was added in 1972. See 86 Stat. 116 (1972).

<sup>10</sup> See U.S. Department of Transportation, *Daylight Saving Time*, <https://www.transportation.gov/regulations/daylight-saving-time> (accessed 1/30/18).

<sup>11</sup> 15 U.S.C. s. 263 (2017).

(zone 4), Pacific standard time (zone 5), Alaska standard time (zone 6), Hawaii-Aleutian standard time (zone 7), Samoa standard time (zone 8), and Chamorro standard time (zone 9).<sup>12</sup>

### Florida Law

Current law provides that with regard to any act by an officer or department in Florida, it is understood and intended that the said time is the U.S. "standard time of the zone within which the act is to be performed."<sup>13</sup>

### **Effect of Proposed Change**

The bill creates the "Sunshine Protection Act." The bill states it is the intent of the Legislature that DST will be the year-round standard time of the entire state and all of its political subdivisions if the U.S. Congress amends the Uniform Time Act of 1966 to permit states to take such action.

#### B. SECTION DIRECTORY:

Section 1. Creates the "Sunshine Protection Act" and establishes Legislative intent regarding the observance of DST year-round under certain conditions.

Section 2. Provides that the act will take effect July 1, 2018.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

#### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

#### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

#### D. FISCAL COMMENTS:

None.

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<sup>12</sup> Time in the zones is offset by a certain number of hours from Coordinated Universal Time (UTC), which is calculated by the number of zones it takes to reach UTC. UTC, formerly Greenwich Mean Time, is the time at the 0° longitude meridian in Greenwich, England. See 15 U.S.C. 261 and the National Oceanic and Atmospheric Administration (NOAA), What is UTC or GMT?, available at: [https://www.nhc.noaa.gov/about\\_utc.shtml](https://www.nhc.noaa.gov/about_utc.shtml) (accessed 1/20/18). Some places that lie exactly on a meridian offset their standard time to the half-hour, such that St. John's, Newfoundland and Labrador, Canada, is 3 and 1/2 hours behind UTC. Time and Date AS, <https://www.timeanddate.com/information/> (accessed 1/20/18). The U.S. treats areas laying on meridians as if they rested within a time zone and does not observe half-hour offsets. See 49 C.F.R. s. 71.5 (2017).

<sup>13</sup> Section 1.02, F.S.

### **III. COMMENTS**

#### **A. CONSTITUTIONAL ISSUES:**

##### **1. Applicability of Municipality/County Mandates Provision:**

Not applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

##### **2. Other:**

None.

#### **B. RULE-MAKING AUTHORITY:**

The bill neither provides authority nor requires rulemaking by executive branch agencies.

#### **C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

None.