



OFFICE OF THE GENERAL COUNSEL

Council of the District of Columbia  
1350 Pennsylvania Avenue NW, Suite 4  
Washington, DC 20004  
(202) 724-8026

May 05, 2025

Terri D. Stroud  
General Counsel  
District of Columbia Board of Elections  
1015 Half Street, S.E., Suite 750  
Washington, D.C. 20003

Re: Proposed Initiative, the "District of Columbia Time Stability Act"

Dear Ms. Stroud:

D.C. Official Code § 1-1001.16(b)(1A) requires that the General Counsel of the Council of the District of Columbia provide an advisory opinion to the District of Columbia Board of Elections ("Board") as to whether a proposed initiative is a proper subject of initiative. I have reviewed the "District of Columbia Time Stability Act" ("Proposed Initiative") for compliance with the requirements of District law, and based on my review, it is my opinion that the Proposed Initiative is a proper subject of initiative.

**I. Applicable Law**

The term "initiative" means "the process by which the electors of the District of Columbia may propose laws (except laws appropriating funds) and present such proposed laws directly to the registered qualified electors of the District of Columbia for their approval or disapproval."<sup>1</sup> The Board may not accept a proposed initiative if it finds that the measure is not a proper subject of initiative under the terms of Title IV of the District of Columbia Home Rule Act or upon any of the following grounds:

- The verified statement of contributions has not been filed pursuant to D.C. Official Code §§ 1-1163.07 and 1-1163.09;
- The petition is not in the proper form established in D.C. Official Code § 1-1001.16(a);

---

<sup>1</sup> D.C. Official Code § 1-204.101(a).

- The measure authorizes, or would have the effect of authorizing, discrimination prohibited under Chapter 14 of Title 2 of the D.C. Official Code; or
- The measure presented would negate or limit an act of the Council of the District of Columbia pursuant to D.C. Official Code § 1-204.46.<sup>2</sup>

The right of initiative is to be construed liberally, and “only those limitations expressed in law or clear[ly] and compelling[ly] implied” are to be imposed upon that right.<sup>3</sup> Absent expressed or implied limitation, “the power of the electorate to act by initiative is coextensive with the power of the [Council] to adopt legislative measures.”<sup>4</sup>

## **II. The Proposed Initiative**

The Proposed Initiative would exempt the District of Columbia from the observance of daylight savings, beginning November 1, 2026 at 2:00 a.m.

## **III. The Proposed Initiative is a Proper Subject of Initiative**

The Uniform Time Act, approved April 13, 1966 (80 Stat. 107; 15 U.S.C. § 260 *et seq.*), is a federal statute intended to promote the adoption and observance of uniform time within the standard time zones prescribed by law.<sup>5</sup> The Uniform Time Act provides that during the period commencing at 2 a.m. on the second Sunday of March and ending at 2 a.m. on the first Sunday of November, the standard time of each time zone shall be advanced one hour. However, the Uniform Time Act contains an exception allowing states<sup>6</sup> that lie entirely within one time zone to exempt themselves from the observance of daylight savings by law.<sup>7</sup> The Proposed Initiative would exempt the District of Columbia from the observance of daylight savings, in accordance with the Uniform Time Act.

The Proposed Initiative does not block the expenditure of funds requested or appropriated, directly appropriate funds, require the allocation of revenues to new or existing purposes, establish a special

---

<sup>2</sup> D.C. Official Code § 1-1001.16(b)(1).

<sup>3</sup> *Convention Center Referendum Committee v. DCBOEE*, 441 A.2d 889, 913 (D.C. 1981).

<sup>4</sup> *Id.* At 897.

<sup>5</sup> 15 U.S.C. § 260.

<sup>6</sup> The term “state” is defined in the Uniform Time Act to include the District of Columbia. *See* 15 U.S.C. § 267.

<sup>7</sup> 15 U.S.C. § 260a(a).

fund, create an entitlement enforceable by private right of action, or directly address and eliminate a source of revenue. In addition, the Proposed Initiative conforms with both the District Charter and the U.S. Constitution. The Proposed Initiative does not authorize or have the effect of authorizing any form of discrimination. The Court has said that “absent express or implied limitation, the power of the electorate to act by initiative is coextensive with the power of the legislature to adopt legislative measures.” In the instant case, no such express or implied limitation exists. Accordingly, the Proposed Initiative is a proper subject of initiative.

I am available if you have any questions.

Sincerely,

*Nicole L. Streeter*

Nicole L. Streeter  
General Counsel, Council of the District of Columbia