

Information Bulletin

Advisory Services – January 2020

Amendments to *The Local Government Election Act, 2015*

This is a summary of the updates that have been made to *The Local Government Election Act, 2015* (the Act) by the passing of Bill 134, effective January 1, 2020. The passing of Bill 134 includes the repealing of *The Controverted Municipal Elections Act*. This summary is not a substitute for the actual legislation. The complete chapter may be viewed on the Publications Saskatchewan website at <http://publications.saskatchewan.ca/#/products/92435>.

AMENDED Section 9 allows council to provide the notice by at least one of the following ways, if it is not feasible or practicable to post in a newspaper:

- mail to all voters;
- publish on a website or by other electronic means; or
- by any other means of publishing or otherwise giving notice as long as notice is given within the same time frame and frequency required by the Act.

Must be set out in a general election bylaw and passed 90 days prior to election.

NEW Section 9.1 gives council the option to pass a general election bylaw. This bylaw may include matters such as:

- campaign donations and finances;
- candidate's occupation on the nomination paper and ballot;
- candidate's deposit;
- voting devices (machines, recorders, scanning, tabulators, etc.);
- ballots; and
- mail-in ballot system.

AMENDED Section 10 changes the general election dates as follows:

- Cities, towns, villages
 - Monday, November 9, 2020.
 - Wednesday, November 13, 2024.
 - Intervals of every four years on the second Wednesday of November.
- Rural municipalities (odd-numbered divisions and reeve)
 - Monday, November 9, 2020.
 - Wednesday, November 13, 2024.
 - Intervals of every four years on the second Wednesday of November.
- Rural municipalities (even-numbered divisions)
 - Wednesday, November 9, 2022.
 - Intervals of every four years on the second Wednesday of November.
- If the second Wednesday of November is a holiday, the general election must be held on the Monday of that week.

AMENDED Sections 36 and 42 clarifies residents that live on land that has been annexed prior to election day will be eligible to vote in the municipality they now reside. The changes further define voter and candidacy eligibility for resort villages as it relates to an assessed person in accordance with section 207 of *The Municipalities Act*.

Only assessed persons with respect to property in a resort village are eligible to be a voter and candidate.

REPEALED Section 40 removes the requirement and authorization for administrators in rural municipalities to post a list of assessed owners in municipal offices. Rural voters will still be notified of the division in which they are entitled to vote on their tax and assessment notices.

AMENDED Section 43 clarifies that a person who has an interest in a contract with the municipality or is a volunteer firefighter of the municipality is able to run for office.

AMENDED Sections 67 and 91 specifies the returning officer shall not accept a nomination statement unless it is:

- accompanied by a completed version of the municipality's public disclosure statement;
- signed by the person nominated;
- witnessed by two individuals; and
- accompanied with a criminal record check (if required).

Candidate's occupation is no longer a requirement on the nomination statement and ballot.

NEW Section 67 (6.1) clarifies that the returning officer shall make sure the nomination papers submitted are complete. It is the candidate's responsibility to make sure the information contained in the nomination papers is correct or truthful.

NEW Section 83 requires advance voting in rural municipalities and resort villages unless the municipality has a mail-in ballot system.

NEW Section 184 gives the municipality the power to enforce their election bylaws.

NEW Part X, Sections 185.1 to 185.8 replaces *The Controverted Municipal Elections Act*, which has been repealed. There were no substantive changes to the general content.

Other amendments in this Act are housekeeping or clarification in nature. Please refer directly to [Bill 134](#) that can be found on the Publications Saskatchewan website to review the complete amendments.

Resources

The Ministry of Government Relations has a number of resources to assist administrators, election officials, candidates and voters with the election process. The webpage below contains links and a guide available for reference:

<https://www.saskatchewan.ca/government/municipal-administration/elections/municipal-election-dates-and-workshops>.

Further information

Questions or comments about this bulletin can be directed to a municipal advisor by calling 306-787-2680.