



# REQUEST FOR DIRECTION

Meeting: November 25, 2024

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## 2025 MUNICIPAL ELECTION

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### DESCRIPTION:

Administration is starting the process of planning for the 2025 Municipal Election which will be taking place on **Monday, October 20, 2025**. Bill 20, *Municipal Affairs Statutes Amendment Act, 2024*, which came into effect on October 31, 2024, made changes to both the *Local Authorities Election Act (LAEA)* and the *Municipal Government Act (MGA)*. There are some provisions that require Town Council to pass a bylaw by December 31, 2024 if Council has the desire to institute some new provisions regarding the upcoming election.

### DISCUSSION:

#### 1. Nominations

As set out in the LAEA Section 28(1.1), there can be one or more locations to receive nominations. ***Council must provide Administration with direction to formulate a bylaw to establish one or more locations, in addition to the local jurisdiction office, where a deputy may receive nominations, which must be passed prior to December 31, 2024.***

#### 2. Deposit

As set out in the LAEA Section 29(1), Council may choose to require a deposit which must accompany the nomination papers at the time of filing. This deposit must be established by bylaw and passed no later than December 31 of the year prior to the year in which a general election is to be held. **This deposit, in the case of a municipality with a population of less than 10,000, may not exceed \$100.** The candidate will receive the deposit back if:

- The candidate is declared elected;
- The candidate obtains at least half the number of votes than the candidate elected to office with the least number of votes; or
- The candidate withdraws at any time within the nomination period or within 24 hours after the close of the nomination period, if more than the required number of candidates for any particular office be nominated.

If the candidate does not meet the criteria above, the deposit shall be paid into the general revenue of the municipality. ***Council must provide Administration with direction to formulate a bylaw to accept deposits from candidates if they so choose, which must be passed prior to December 31<sup>st</sup>.***

#### 3. Campaign Expense Limits

Section 147.34 of the LAEA states that “no candidate shall incur campaign expenses that exceed the amounts determined by the regulations.” The limit of campaign expenses currently is up to \$20,000 for a Mayoral candidate or Councillor candidates. Please refer to the handout “Local Political Parties, Slates and Campaign Expense Limits”.

***Council must provide Administration with direction to formulate a bylaw which must be passed prior to December 31<sup>st</sup> to lower the amount of campaign expense limits to an amount less than the amount determined by the LAEA.***

#### **4. Qualification of Candidates**

Under new Section 21.1 of the LAEA, Council can pass a bylaw prior to December 31<sup>st</sup> of the year before a year in which a general election is to be held to require anyone seeking nomination as a candidate to provide a criminal record check. Saskatchewan is the only province that asks for checks for municipal candidates but it is up to the discretion of each municipality. This is not a requirement at the provincial or federal levels. The City of Edmonton has decided not to require a criminal record check. The City of Calgary will be discussing it at their next meeting on November 26<sup>th</sup>. ***Council must provide Administration with direction to formulate a bylaw which must be passed prior to December 31<sup>st</sup> to require candidates to provide a criminal record check prior to submitting their nomination papers.***

Administration will be providing further information regarding changes coming as a result of Bill 20 at a future meeting.

#### ATTACHMENTS:

- 1.) Alberta Municipal Affairs – *Municipal Affairs Statutes Amendment Act, 2024* handout
- 2.) Alberta Municipal Affairs – Local Political Parties, Slates and Campaign Expense Limits handout
- 3.) ABmunis Analysis Bill 20 Municipal Affairs Statutes Amendment Act

#### APPLICABLE LEGISLATION:

- 1.) Local Authorities Election Act
- 2.) Municipal Government Act

PREPARED BY: Karine Keys, Finance Assistant

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APPROVED BY: Abe Tinney – CAO

DATE: November 21, 2024

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