

Preliminary Analysis of Bill 54: Election Statutes Amendment Act, 2025



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Table of Contents

Background	3
Proposed Changes with Direct Impacts to Municipalities	3
Proposed Changes that Create Consistency with Existing Local Election Rules	5
Proposed Changes that May Influence Future Policy Approaches for Municipalities	6
Additional Changes Proposed by Bill 54	8
Recall Act	8
Election Act	9
Citizen Initiative Act	10
Referendum Act	10
Election Finances and Contributions Disclosure Act	11

Background

Bill 54, the Election Statutes Amendment Act, 2025, was released by the Government of Alberta on April 29, 2025. Bill 54 proposes amendments to several pieces of legislation, including the *Local Authorities Election Act*, *Recall Act*, *Election Act*, *Alberta Senate Election Act*, *Referendum Act*, *Citizen Initiative Act*, and the *Election Finances and Contributions Disclosure Act*. While many of these changes may not directly affect municipalities, ABmunis has identified and highlighted those that could. ABmunis is particularly concerned that some of the proposed amendments may result in predetermined outcomes regarding municipal engagement in recall processes and local elections.

Proposed Changes with Direct Impacts to Municipalities

Act	Current Status	Proposed Change	ABmunis analysis
Local Authorities Election Act (Municipal)	<p>The <i>Local Authorities Election Act</i> (LAEA) requires all candidates in all municipalities to report their campaign finances by March 1 following each year that they receive contributions.</p> <p>This applies to independent candidates across Alberta as well as candidates affiliated with local political parties in Calgary and Edmonton. A third-party advertiser who advertises messages that promote or oppose the election of a candidate or an issue on a ballot must file a campaign disclosure statement on March 1 after the general election.</p>	Require all local municipal and school board candidates across Alberta and third-party advertisers to report their campaign finances by September 30 of the election year, in advance of elections that are regularly held in October.	<p>This proposed change aligns with the Government of Alberta's commitment in April 2025 to amend the Local Political Parties and Slates Regulation to apply the same timelines to political parties and third-party advertisers.</p> <p>The proposed changes align with ABmunis' previous recommendations on reporting finances to increase transparency in campaigning and elections.</p>
Election Act (applicable to provincial elections)	Municipalities can enact bylaws related to provincial election signs and advertisements.	Allow the Minister to regulate provincial election signs and advertisements and prohibit municipalities from making further regulations on election signs and advertisements.	A singular piece of legislation makes it easier for those campaigning to understand advertising rules during a provincial election, regardless of the community.
Election Act (applicable to provincial elections)	There are no rules requiring municipal councillors and school board trustees to take an unpaid leave of absence when running in a provincial election.	Require municipal councillors and school board trustees to take an unpaid leave of absence when running for provincial office.	This change aligns with most employers' practices on taking a leave of absence while campaigning.

Preliminary Analysis of Bill 54: Election Statutes Amendment Act, 2025

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Alberta Senate Election Act (Provincial)	The Alberta Senate Election Act is not aligned with the Local Authorities Election Act relating to the permanent electors register.	Apply a change from the Local Authorities Election Act relating to the permanent electors register.	While alignment makes sense, ABmunis is concerned that this is further indication that local elections will be combined with other election types, as happened with senate elections in 2021. ABmunis will continue to advocate for keeping 'local elections local.'
Alberta Senate Election Act (Provincial)	There are currently no provisions related to emergency powers.	Extend emergency powers to Senate elections, allowing: <ul style="list-style-type: none"> • The Chief Electoral Officer to adjourn voting due to emergencies (e.g., disasters or safety risks). • The Minister of Municipal Affairs to take actions such as extending or adjourning voting during emergencies. • The Lieutenant Governor in Council to discontinue and reschedule Senate election voting if emergencies significantly impact voting or public safety. 	ABmunis has provided input into Municipal Affairs' March 2025 engagement on the creation of a regulation for postponement of a local election during emergencies. ABmunis will continue to engage on this issue with Municipal Affairs until a regulation is in place.

Proposed Changes that Create Consistency with Existing Local Election Rules

The following changes do not necessarily have direct impacts to municipalities but would align the rules from the provincial *Election Act* to the current rules in the *Local Authorities Election Act*.

Act	Current Status	Proposed Change	ABmunis analysis
Election Act (applicable to provincial elections)	Chief Electoral Officers can make directives for advance voting to allow the use of electronic tabulators	Electronic voting tabulators are banned.	This change would align the <i>Election Act</i> with the <i>LAEA</i> . ABmunis is concerned to see this proposed change to the <i>Election Act</i> as it reduces the chances that the province will respond to ABmunis resolution and advocacy to reverse its decision to ban tabulators in local elections.
Election Act (applicable to provincial elections)	When voting, Albertans can present ID or have another voter vouch for them.	Eliminate all vouching. Expand types of ID used to prove residence.	This change would align the <i>Election Act</i> with the <i>LAEA</i> .
Election Act (applicable to provincial elections)	Special ballots are only available when a voter is unable to vote on the regular election day.	Expand the use of special ballots by: <ul style="list-style-type: none"> allowing voters to use a special ballot without reason. allowing for special ballots to be sent to international destinations, military members and remote areas in advance of the writ for a set election. clarifying that a voter can cast a special ballot by indicating the name of the party leader. Enhance the integrity of special ballots by: <ul style="list-style-type: none"> requiring voters to request a special ballot themselves, except in cases where people need assistance due to disability. 	This change would align the <i>Election Act</i> with the <i>LAEA</i> .

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		<ul style="list-style-type: none"> requiring the signature on the special ballot to match the signature on the voter's identification. 	

Proposed Changes that May Influence Future Policy Approaches for Municipalities

The following proposed changes do not directly impact municipalities at this time, however, if the Government of Alberta intends to create consistency in the rules for elections and petitions between the provincial government and municipal governments, then Bill 54 may set a precedent for the direction on policy matters where municipal governments have not had the opportunity to provide input.

Act	Current Status	Proposed Change	ABmunis analysis
Recall Act (only applicable to MLAs)	An applicant may not submit an application for recall until 18 months after an election nor within six months of an upcoming set date general election.	Provide that recall petitions can only begin 12 months after an MLA is elected and may not be issued 12 months before a set date general election.	The proposed change for recall of an MLA aligns with ABmunis recommendations for potential improvements to recall rules for municipal elected officials.
Recall Act (only applicable to MLAs)	<p>Once the chief electoral officer issues a recall petition, there are 60 days to collect signatures.</p> <p>A recall vote is authorized if the recall petition has been signed by at least 40 per cent of the total number of electors on the post-election-day list of electors, for the electoral division named in the recall petition.</p>	<p>Extend the recall petition signature collection timeline to 90 days.</p> <p>Change the threshold for signatures to 60 per cent of the total number of electors who voted in the electoral district in the most recent election.</p>	<p>ABmunis is worried that by making this change to provincial recall legislation it will be used as grounds to change municipal recall rules so they align. Changing the timeline to collect signatures to 90 days from 60 days increases the period of uncertainty for councils and creates an additional burden for administrations to manage public communications during the petition period.</p> <p>ABmunis understands that the Government of Alberta plans to consult municipalities about potential changes to recall rules for municipal elected officials this spring. If the province intends to create consistency in the rules for recall of provincial and municipal officials,</p>

Preliminary Analysis of Bill 54: Election Statutes Amendment Act, 2025

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			ABmunis is concerned that Bill 54 sets a precedent for what changes will be made to municipal rules despite no consultation of municipalities occurring yet.
Recall Act (only applicable to MLAs)	A recall application must include a statement of not more than 200 words explaining why the MLA should be recalled. There is currently no process for an MLA to provide a responding statement.	Reduce to 100 the number of words permitted from the applicant on the recall petition form and allow seven days for a responding statement from the elected MLA who is being recalled.	ABmunis is pleased to see that recall of an MLA will still require the petition organizer to provide a written statement on why the MLA should be recalled. This provision is not currently required for recall of a municipal elected official and ABmunis is hopeful that it will be considered when the province reviews the rules for recall of a councillor.
Election Act (applicable to provincial elections)	No timelines for unofficial counts. Special ballots can be delivered until the end of the voting day.	Require the unofficial vote count to be completed within 12 hours of polls closing. Require special ballots to be mailed back in time for Elections Alberta to receive them by the Friday before the election and allow special ballots and advance ballots to be counted three hours before polls close.	ABmunis is concerned that this change could later be extended to municipalities, who often face far more time-consuming processes for counting ballots and corresponding capacity issues for municipal and election staff.
Citizen Initiative Act (Provincial)	To be successful, an initiative petition must have signatures from: <ul style="list-style-type: none"> 10 per cent of registered voters province-wide for legislative and policy initiatives 20 per cent of registered voters province-wide and in two-thirds of Alberta's constituencies for constitutional initiatives The petition applicant is given 90 days to gather the required signature.	Align the three types of citizen initiatives (policy, legislative, and constitutional), by changing the threshold for a successful citizen initiative petition to 10 per cent of the number of eligible voters who voted in the last general election. The petition applicant is given 120 days to gather the required signatures.	This proposed change would lower the threshold for initiating a provincial referendum, potentially resulting in a higher frequency of province-wide votes. The possibility for more referenda raises concerns that these could be held in conjunction with local elections resulting in important community matters being overshadowed by provincial issues during a local election, causing confusion for the public. ABmunis will continue to advocate for keeping 'local elections local.'
Referendum Act (Provincial)	The chief electoral officer can conduct referendum votes for First Nations and Metis Settlements when held in	Enable the chief electoral officer to conduct referendum votes for First Nations and Métis Settlements when	ABmunis appreciates that this change is being made to address challenges experienced during the last municipal election.

Preliminary Analysis of Bill 54: Election Statutes Amendment Act, 2025

Act	Current Status	Proposed Change	ABmunis analysis
	<p>conjunction with a provincial election or when they are standalone.</p> <p>When a referendum is held in conjunction with a municipal election, the Minister of Municipal Affairs is responsible for conducting the referendum vote for First Nations. Métis Settlements are directly empowered to conduct the referendum vote.</p>	held in conjunction with a municipal election.	However, as we have stated in other sections of this analysis, we still maintain that local elections should be reserved for local issues.

Additional Changes Proposed by Bill 54

The following section outlines remaining changes proposed by Bill 54. As they are currently presented, ABmunis does not foresee any impacts to municipalities related to these proposed changes.

Recall Act

The *Recall Act* **only** applies to the recall of provincial elected officials. The rules for recall of a municipal elected official are prescribed in the *Municipal Government Act*.

Current Status	Proposed Change
<ul style="list-style-type: none"> If a recall petition meets the requirements, the Chief Electoral Officer (CEO) must issue a notice within 7 days. If the petition does not meet the requirements, the CEO must notify the applicant, but no specific deadline is set for this. The CEO must verify whether a recall vote is authorized within 30 days of receiving the petition. After verification, the CEO must report the results as soon as possible, though no fixed deadline is established for this step. 	<p>Require the chief electoral officer to:</p> <ul style="list-style-type: none"> determine within seven days if the requirements for issuing a recall petition have been met, verify within 21 days whether a recall vote is authorized report the recall petition results within seven days after completing the verification of results.
<ul style="list-style-type: none"> The recall vote must be issued within six months from the date on which the successful petition results are published. 	Reduce the period of time required for a recall vote to be issued to four months from the date on which the successful petition results are published.

Election Act

The *Election Act* governs the process for provincial government elections and should not be confused with the *Local Authorities Election Act*, which applies to elections of councils and school trustees.

Current Status	Proposed Change
Albertans can vote in person on election day, by special ballot or at advanced polls. Elections Alberta must place voting locations where it is convenient to voters.	Requires voters to cast ballots in their riding or by special ballot. Adds additional requirements to the location of voting stations.
Only candidates (or their official representative) can inspect documents or request judicial recounts.	<ul style="list-style-type: none">• Allow parties to inspect documents.• Clarify that scrutineers may observe all aspects of the electoral process.• Allow parties to begin and participate in judicial recounts and be reimbursed by the Crown for legal expenses related to judicial recounts.
An official agent for a candidate must be a Canadian citizen, 18 years of age or older, and a resident of Alberta but there are no other restrictions for official agents.	<ul style="list-style-type: none">• Prevent a single official agent from acting on behalf of more than one independent candidate.
The Election Act largely prohibits any government department or provincial corporation from publishing information about its programs or activities during an election.	Clarify advertising rules for government during elections, specifically: <ul style="list-style-type: none">• allow the Premier and ministers to make announcements during emergencies,• allow government advertising during a non-constitutional referendum that does not coincide with a general election,• clarify government and public agency advertising may continue during by-elections if it does not have a direct and disproportionate impact,• clarify that there are no restrictions on advertising or publishing information about programs and activities outside an election period.
Chief financial officers only for candidates are not eligible to serve as election officers.	All chief financial officers appointed under the Election Finances and Contributions Disclosure Act are not eligible to serve as election officers.

Citizen Initiative Act

Current Status	Proposed Change
<p>There is no timeline for the chief electoral officer to decide if requirements have been met to issue a petition. The chief electoral officer is required to:</p> <ul style="list-style-type: none"> provide notice 14 days before the proceeding that a proposal for a petition has been forwarded to the court. Issue the initiative petition within 30 days after the Notice of Initiative Petition is posted on the chief electoral officer's website as a heads up to any interested third parties. Verify within 60 days whether an initiative petition has met signature requirements. 	<p>Require the chief electoral officer to:</p> <ul style="list-style-type: none"> decide within 30 days if requirements have been met to issue a petition and within 60 days if the chief electoral officer refers the matter to the court, provide notice within seven days that a proposal for a petition has been forwarded to the court and that the petition applicant has the right to be a party before the court and has a right to be heard issue the initiative petition within seven days after the Notice of Initiative petition is posted on the chief electoral officer's website as a heads up to any interested third parties verify within 21 days whether a citizen initiative petition has met signature requirements.
No current provisions.	<p>Specify that:</p> <ul style="list-style-type: none"> successful initiative petitions completed one year or more before the next set election date must, if required, have an initiative vote on or before that set election date initiative petitions successfully completed after this deadline would, if required, have an initiative vote after the set election date but before the next set election date.
<p>An initiative vote must be set by order-in council under the authority of sections 128 and 130 of the <i>Election Act</i>.</p> <p>However, the <i>Citizen Initiative Act</i> does not expressly set out that the conduct for an initiative vote should follow, as closely as possible, the rules set out in the <i>Election Act</i>.</p>	Require that the rules set out in the Elections Act are followed, as appropriate, when a vote is held.
Union and corporation contributions are not permitted.	Allow union and corporation contributions. This aligns with proposed changes to the <i>Election Finances and Contributions Disclosure Act</i> and <i>Recall Act</i> .

Referendum Act

Current Status	Proposed Change
Existing rules under the <i>Election Act</i> allow the chief electoral officer to adjourn voting in certain circumstances during emergencies. These rules apply to referendums held in conjunction with provincial elections or stand-alone referendums. The Minister of Municipal Affairs may extend,	<p>The Chief Electoral Officer can adjourn voting during emergencies (e.g., disasters or public safety risks).</p> <p>The Lieutenant Governor in Council can discontinue and reschedule voting during emergencies.</p>

Preliminary Analysis of Bill 54: Election Statutes Amendment Act, 2025

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adjourn or take any other action in emergencies under the Local Authorities Election Act. These rules apply to a referendum held in conjunction with a municipal election.	These provisions apply to referendums held with municipal elections, aligning with similar powers under the Election Act and Local Authorities Election Act.
No requirements currently	Require third-party advertisers to indicate if they are for or against a referendum question or questions.
A referendum must be held before the Legislative Assembly makes a resolution authorizing an amendment to the Constitution of Canada.	Remove the requirement for a referendum to occur before the Legislative Assembly makes a resolution authorizing an amendment to the Constitution of Canada. This change would also be applied to the Alberta Taxpayer Protection Act.
A referendum can be held by mail-in ballot for non-constitutional referendums. The Act does not allow for a mail-in ballot for constitutional referendums.	Allow mail-in ballots to apply to a constitutional referendum.
The Election Finances and Contributions Disclosure Act sets out restrictions on referendum advertising contributions and spending limits, disclosure of referendum advertising contributions, reports and financial statements, and many more aspects of financing and disclosure for third party referendum advertisers	Allow the government to determine how and when the <i>Election Finances and Contributions Disclosure Act</i> would apply to a referendum through regulation. However, specify that only Alberta entities can engage in third-party referendum advertising.

Election Finances and Contributions Disclosure Act

Current Status	Proposed Change
<p>A person who is ordinarily a resident in Alberta may contribute a maximum of \$5,000 annually in the aggregate to one or any combination of a registered party, registered constituency association, registered candidate, nomination contestant or registered leadership candidate. Currently, a person who is ordinarily a resident in Alberta may contribute a maximum aggregate amount of \$5,000 in any year to one or more nomination contestants.</p> <p>The maximum limit on contributions to third party advertisers is \$34,400. This limit applies to contributions to third parties engaging in election advertising, political advertising, Senate election advertising, and referendum advertising.</p>	<p>Corporate & Union Contributions: Now permitted to contribute to political parties, candidates, leadership contestants, and third-party advertisers.</p> <p>New Limits:</p> <ul style="list-style-type: none"> Annual individual limit to leadership contestants: \$5,000 (separate from other political contributions). Contributions to third-party advertisers capped at \$5,000, down from \$34,400. <p>Nomination Contests: Removed from EFCDA regulation; oversight transferred to the Legislative Assembly Act.</p> <p>Contribution Errors: If deemed inadvertent and under a regulatory threshold, no penalties or reprimands will be issued.</p>
The maximum election expense limit for a registered political party during a general election is calculated using a formula.	<p>Expense Limits Increased:</p> <ul style="list-style-type: none"> Political party (general election): \$5 million.

Preliminary Analysis of Bill 54: Election Statutes Amendment Act, 2025

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<p>The current maximum election expense limit for a registered candidate is \$60,800. The current maximum by-election expense limit for a registered political party is \$28,000. Amounts are adjusted for inflation.</p>	<ul style="list-style-type: none"> • Candidates: \$75,000. • By-election party spending: \$75,000. <p>Prospective Candidate Associations: Can now be registered like constituency associations, with tax credit eligibility for donations.</p> <p>Merchandise & Memberships:</p> <ul style="list-style-type: none"> • Parties may sell merchandise at market value without contribution receipts. • Family memberships under \$50 don't require contribution receipts.
<p>The current aggregate third party election advertising spending limit for each of the pre-writ and writ period is \$182,200. A third-party election advertiser is prohibited from spending more than \$3,700 to promote or oppose one or more registered candidates in an electoral division.</p>	<p>Spending Limits Raised:</p> <ul style="list-style-type: none"> • Per period (pre-writ/writ): \$500,000 (up from \$182,200). • Per candidate (electoral division): \$10,000 (up from \$3,700). <p>Affiliation Criteria Strengthened: A third party is considered affiliated with a political party if governance overlaps exist.</p> <p>Mandatory Declarations: Third parties must affirm they're not acting on behalf of a political party.</p> <p>Internal Party Campaigns: Ads for or against candidates in internal party elections are now permitted.</p>
<p>Currently: General contraventions carry a maximum fine of \$5,000.</p> <p>Neglecting duties as an election officer currently carries a maximum fine of \$5,000 for returning officers and \$2,000 for others.</p> <p>Damaging or removing required notices currently carries a maximum penalty of \$2,000. Making false statements in relation to the character of a candidate currently carries a maximum fine of \$10,000.</p>	<p>Timeline Reductions:</p> <ul style="list-style-type: none"> • General investigations must conclude within one year. • Faster complaint handling during elections. <p>Transparency & Fairness:</p> <ul style="list-style-type: none"> • Respondents notified at the start of investigations (unless it compromises the case). • Right to legal counsel and to record proceedings. • Clear rules for disclosing investigation outcomes. • Burden of proof during appeals lies with the election commissioner. <p>Penalties Increased:</p> <ul style="list-style-type: none"> • General contraventions: \$10,000. • False claims about candidates: \$50,000.



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