

# Municipal Affairs Statutes Amendment Act, 2024

The *Municipal Affairs Statutes Amendment Act, 2024*, makes changes to two pieces of municipal-related legislation: the *Local Authorities Elections Act (LAEA)* and the *Municipal Government Act (MGA)*. This legislation comes into force on October 31, 2024.

- The **LAEA** establishes the framework for the conduct of elections in Alberta municipalities, school divisions, irrigation districts, and Metis Settlements.
- The **MGA** establishes the rules governing the conduct of local elected officials once on council, as well as the overall administration and operation of municipal authorities in Alberta.

## Changes to local election rules under the LAEA

Description of Changes	Previous Status Before Legislation
Aligns candidate eligibility criteria with councillor disqualification criteria in the MGA.	Candidates elected to council may face immediate disqualification due to misalignment with the MGA's criteria.
Allows municipalities to require criminal record checks for candidates.	No provisions were in place.
Allows union and corporate donations to local candidates, with the same donation limits as individual donors (\$5,000 per municipality per year).	Unions and corporations were prohibited from donating to municipal campaigns in the 2021 campaign. Donations outside of the campaign period (January 1 to December 31 in the year of a general election) were restricted to a maximum of \$5,000.
Allows donations outside the local election year and requires annual reporting of donations.	
Requires third-party advertisers campaigning for or against an issue on a ballot, such as a plebiscite, to register and report finances.	The LAEA only regulated third-party advertising for the promotion or opposition of a candidate during an election.
Limits donations to third-party advertisers to \$5,000 per election period, which begins May 1 of the election year.	The donation limit was \$30,000 for all individuals, unions, and corporations.
Enables regulation-making authority to define local political parties. Registration of local political parties will be limited to Calgary and Edmonton for the 2025 local general election.	No provisions were in place to regulate political parties at the local level.
Repeals the municipal authority to develop a voters list based on enumeration.	Municipalities could prepare a voters list, which had to be shared with all candidates.
Requires municipalities to create a permanent electors register. (This will be done in partnership with Elections Alberta, building off the provincial register of electors).	A permanent electors register is an internal document that assists with the conduct of an election. Municipalities could choose to develop one or not.
Expands the use of special ballots and strengthens special ballot processes.	Special ballots could only be requested for very specific reasons, including physical disability, absence from the municipality, or for municipal election workers.
Limits vouching to the ability to vouch for someone's address.	Vouching was permitted for an individual's age, residence, and identity.
Repeals the ability for a candidate's official agent or scrutineer to object to an elector.	Candidate's official agents or scrutineers could object to an elector; however, the elector could still vote.
Enables regulation-making authority to postpone elections in emergencies.	No provisions were in place to enable the Minister to postpone an election in the event of a natural disaster or emergency.
Prohibits automated voting equipment, such as electronic tabulators.	The LAEA permitted municipalities, by bylaw, to process ballots by automated voting equipment.
Requires recounts if requested by a runner up candidate when the margin is within 0.5 percent of total votes.	Returning officers had discretion regarding recounts.
Clarifies rules and streamlining processes for scrutineers.	Rules and processes were unclear for scrutineers.

## Strengthening the accountability of local councils under the *MGA*

Description of Changes	Previous Status Before Legislation
Requires a councillor's seat to become vacant upon disqualification for specific matters.	Municipal councils or electors could only remove a disqualified councillor through the courts if they refuse to vacate their seat.
Requires mandatory orientation training for councillors.	Training for councillors must be offered, but there was no requirement for the councillor to attend the training.
Allows Cabinet to order a vote of the electors to determine whether a councillor should be removed. An elector vote to remove a councillor is limited to councillors who Cabinet consider to be unwilling, unable, or refusing to do the job for which they were elected, or if Cabinet considers such a vote to be in the public interest by taking into consideration illegal or unethical behaviour by a councillor.	Minister could only remove a sitting councillor through the municipal inspection process and only under very specific circumstances.
Allows elected officials to recuse themselves for real or perceived conflicts of interest.	Elected officials could only recuse themselves for matters in which they have a financial interest.
Makes the Minister responsible for validating municipal recall petitions.	A municipality's chief administrative officer was responsible for validating recall petitions.
Enables Cabinet to require a municipality to amend or repeal a bylaw given specific requirements are met (including: the bylaw exceeds the scope of the <i>MGA</i> or otherwise exceeds the authority granted to a municipality under the <i>MGA</i> or any other statute, conflicts with the <i>MGA</i> or any other statute, is contrary to provincial policy, or contravenes the Constitution of Canada).	Cabinet could only intervene with respect to a land use bylaw or statutory plan.  No provisions were in place.
Gives Cabinet authority to direct a municipality to take specific action to protect public health and/or safety.	
Allows the Minister to outline joint use planning agreement exemptions, criteria and requirements by regulation.	All criteria for joint use planning agreements were in the <i>MGA</i> .
Specifies that the assessed person for an electric generation system is the operator.	There was a lack of clarity regarding who should be assessed for electrical generation systems.

## Accelerating housing development under the *MGA*

Description of Changes	Previous Status Before Legislation
Requires municipalities to offer electronic options for public hearings on planning and development and restricts them from holding extra public hearings when not required by legislation.	No requirements were in place for electronic options. Municipalities could hold extra hearings beyond what was legislated.
Fully exempts non-profit, affordable housing from property taxation.	Limited provisions in place in the <i>MGA</i> .
Enables multi-year residential property tax incentives.	Municipalities could offer multi-year incentives for non-residential development, but not residential development.
Regulation-making authority to define which non-statutory studies may be required for building and development permits. No regulation is currently in place.	No provisions were in place.

## Additional resources

- [Municipal Affairs Statutes Amendment Act](#)
- [Municipal Government Act](#)
- [Local Authorities Election Act](#)
- [Local Political Parties and Campaign Expense Limits](#) (Fact Sheet)