



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 185
(2018, chapter 15)

**An Act to defer the next general school
election and to allow the Government to
provide for the use of a remote voting
method**

**Introduced 15 May 2018
Passed in principle 5 June 2018
Passed 6 June 2018
Assented to 6 June 2018**

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EXPLANATORY NOTES

The purpose of this Act is to defer the general school election to be held on 4 November 2018 until 1 November 2020.

For that purpose, the Act provides that the division of the territory of a school board into electoral divisions made for the 4 November 2018 election applies to the 1 November 2020 general election. Moreover, on the date of coming into force of the Act, the Act moves forward the period during which a vacancy for the office of commissioner is to be filled by the council of commissioners, rather than by holding a by-election.

The Act gives the Government the power to allow, by regulation, the use of a remote voting method for the 1 November 2020 general school election.

Lastly, consequential amendments and transitional measures are set out.

LEGISLATION AMENDED BY THIS ACT:

- Act to amend the Education Act (2016, chapter 26).

Bill 185

AN ACT TO DEFER THE NEXT GENERAL SCHOOL ELECTION AND TO ALLOW THE GOVERNMENT TO PROVIDE FOR THE USE OF A REMOTE VOTING METHOD

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Despite section 2 of the Act respecting school elections (chapter E-2.3), the general school election to be held on 4 November 2018 is deferred until 1 November 2020.
- 2.** The dates and time limits prescribed by the provisions of Chapter III of the Act respecting school elections apply to the general school election of 1 November 2020 as if it were held on 4 November 2018, except for the date referred to in the second paragraph of section 10.3, which must be 1 June 2020.
- 3.** Despite section 200 of the Act respecting school elections, any vacancy for the office of commissioner occurring before 1 November 2019 is to be filled by the council of commissioners in the manner provided for in the first paragraph of section 199 of that Act.
- 4.** Expenses related to the 4 November 2018 school election that are incurred before 6 June 2018 by an authorized candidate are fully reimbursed to the candidate. The first and fourth paragraphs of section 207 and section 208 of the Act respecting school elections apply to the reimbursement, with the necessary modifications.

The candidate must, within 30 days following reimbursement of the expenses, reimburse the electors who made a contribution to the candidate and file a financial report with the director general of the school board showing that the contributions have been reimbursed and that all the debts arising from the expenses have been paid.

The authorization required under section 206.6 of the Act respecting school elections expires on 6 June 2018.

- 5.** The Government may, by regulation, after consulting the Chief Electoral Officer, allow the use of a remote voting method for the general school election of 1 November 2020 and determine the applicable conditions and procedure.

The regulation applies despite any contrary or incompatible provision of the Act respecting school elections.

The regulation must be examined by the competent committee of the National Assembly for three hours before it is enacted by the Government.

Such a regulation is not subject to sections 8 and 17 of the Regulations Act (chapter R-18.1). It comes into force on the date of its publication in the *Gazette officielle du Québec*.

ACT TO AMEND THE EDUCATION ACT

6. Section 61 of the Act to amend the Education Act (2016, chapter 26) is amended by replacing “Until 4 November 2018” by “Until 1 November 2020”.

7. Section 62 of the Act is amended by replacing paragraph 3 by the following paragraphs:

“(3) paragraph 2 of section 25, which comes into force on 4 November 2018;

“(3.1) sections 22 to 24, which come into force on 1 November 2020;”.

FINAL PROVISION

8. This Act comes into force on 6 June 2018.