

April 26, 2024

Government of Alberta Tables Bill with Major Municipal Impacts

Bill 20: Municipal Affairs Statutes Amendment Act, 2024, makes significant changes to both the MGA and LAEA

On April 25, 2024, [Bill 20: Municipal Affairs Statutes Amendment Act, 2024](#) was introduced in the Legislative Assembly. Bill 20 makes significant amendments to both the *Municipal Government Act* (MGA) and the *Local Authorities Elections Act* (LAEA). While the RMA has not yet had time to conduct a detailed review of Bill 20, the following is a summary of notable changes to the MGA and LAEA:

MGA

- ◆ Councillor's seat automatically becomes vacant upon disqualification.
 - ◇ Previously, councillors could not be forced to vacate their seat upon disqualification unless directed by the Courts.
- ◆ Councillor orientation training is mandatory following elections or by-elections.
 - ◇ Previously, municipalities were required to offer training, but it was not mandatory for councillors to attend.
- ◆ Cabinet can remove a councillor if in public interest.
 - ◇ Previously, the Minister could only remove a councillor under very specific circumstances linked to a municipal inspection.
- ◆ Councillors can now recuse themselves from a decision for non-financial conflict of interest.
 - ◇ Previously, recusal was only permitted if a councillor had a pecuniary interest in a decision.
- ◆ Non-profit subsidized affordable housing fully exempt from property taxation.
 - ◇ Previously, the legislation was silent on exemptions for non-profit subsidized affordable housing.
- ◆ Multi-year residential property tax incentives allowed.
 - ◇ Previously, incentives were only permitted for non-residential properties.

LAEA

- ◆ Political party involvement will be permitted at the municipal level. Note that details and rules will be developed through a regulation. This change will be piloted in **Calgary and Edmonton only** in 2025 and may be expanded to all municipalities in 2029.
 - ◇ Previously, the legislation was silent on political party affiliation or involvement in municipal elections.
- ◆ Limits on campaign donations outside of the election year are removed. Candidates can collect unlimited donations beginning immediately after the previous election.
 - ◇ Previously, donations outside the campaign period were limited to \$5,000 per year.
- ◆ Union and corporate donations are allowed. Each corporate or union donor is limited to \$5,000 in donations per municipality.
 - ◇ Previously, corporate and union donations were not permitted.

- ◆ Third-party advertisers focused on a specific issue, rather than candidate, are required to register and abide by third-party reporting and contribution requirements.
 - ◇ Previously, only third-party advertisers promoting or opposing candidates were required to register.
- ◆ Municipalities must prepare a permanent electors register in alignment with Elections Alberta information.
 - ◇ Previously, preparation of an electors register was optional.
- ◆ The Minister will be authorized to postpone local elections during emergencies. The details of this authority will be determined through a regulation.
 - ◇ Previously, this authority did not exist.
- ◆ Automated voting equipment is prohibited.
 - ◇ Previously, municipalities were permitted, by bylaw, to use automated voting equipment.

The list above is not exhaustive, as the RMA continues to review Bill 20 to identify and understand the full range of changes. The RMA is concerned that some of the changes will infringe on municipal or councillor autonomy and add unnecessary politicization and complexity to the local election process. RMA is specifically concerned with proposals to allow Cabinet to remove councillors if it is in the “public interest,” and to override municipal bylaws. If these changes move forward, it is crucial that limits be put around both processes to ensure they are not misused. RMA will provide members with more information and analysis in the coming weeks.

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