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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 72

## **An Act respecting the suspension of school by-elections**

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**Introduction**

**Introduced by  
Mr. François Blais  
Minister of Education, Higher Education and Research**

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**Québec Official Publisher  
2015**

## **EXPLANATORY NOTES**

*This bill stipulates that any vacancy on the council of commissioners that occurs more than 12 months before the next general election must be filled by appointment by the council rather than by a by-election.*

*It also sets out special rules for the reimbursement of election expenses and contributions in the event that the suspension of a by-election applies to a vacancy with regard to which the returning officer has already set the polling day for a date falling after the date of assent to this Act.*

## **Bill 72**

### **AN ACT RESPECTING THE SUSPENSION OF SCHOOL BY-ELECTIONS**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Despite sections 200 and 200.1 of the Act respecting school elections (chapter E-2.3), any vacancy on the council of commissioners that occurs more than 12 months before the polling day set for the next general election is filled by the council in the manner set out in the first paragraph of section 199 of that Act.

In the case of a vacancy with regard to which the returning officer has already set the polling day for a date falling after (*insert the date of assent to this Act*), the following rules apply:

(1) the election expenses incurred by an authorized candidate up until (*insert the date of assent to this Act*) are reimbursed in full and the first and fourth paragraphs of section 207 and section 208 of the Act respecting school elections apply, with the necessary modifications, to the reimbursement;

(2) the candidate must, within 30 days following reimbursement of the election expenses referred to subparagraph 1, reimburse the electors who made a contribution to him or her for the by-election and file with the director general of the school board an additional financial report establishing that the contributions have been reimbursed and that all the debts arising from election expenses have been discharged;

(3) the first paragraph of section 206.9 of the Act respecting school elections is to be read as if “on 31 December of the year following the year of the election” were replaced by “on the filing date of the report and return provided for in sections 209 and 209.4 or 90 days after polling day, whichever is sooner,”.

**2.** This Act comes into force on (*insert the date of assent to this Act*).

