



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 892

**An Act to prohibit offering supervised
consumption services near
an educational childcare facility
or an educational institution
providing preschool-, elementary-
or secondary-level education**

Introduction

**Introduced by
Madam Marwah Rizqy
Member for Saint-Laurent**

**Québec Official Publisher
2024**

EXPLANATORY NOTES

This bill prohibits offering supervised consumption services near an educational childcare facility or an educational institution providing preschool-, elementary- or secondary-level education.

The bill also states that the Government may, by regulation, determine which services are supervised consumption services and prescribe other standards relating to the location of supervised consumption services.

The bill grants organizations that offer supervised consumption services at the time of the bill's assent a two-year period from the date of assent to comply with the prohibition it introduces.

LEGISLATION AMENDED BY THIS BILL:

- Educational Childcare Act (chapter S-4.1.1).

Bill 892

AN ACT TO PROHIBIT OFFERING SUPERVISED CONSUMPTION SERVICES NEAR AN EDUCATIONAL CHILDCARE FACILITY OR AN EDUCATIONAL INSTITUTION PROVIDING PRESCHOOL-, ELEMENTARY- OR SECONDARY-LEVEL EDUCATION

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I PROHIBITION

1. It is prohibited to offer supervised consumption services near a facility of the holder of a childcare centre or day care centre permit or an educational institution providing preschool-, elementary- or secondary-level education.

The Government may, by regulation, determine which services are supervised consumption services for the purposes of this Act.

Despite the first paragraph, supervised consumption services may be offered near a facility of the holder of a childcare centre or day care centre permit if the facility opened or relocated after (*insert the date of assent to this Act*) and if the site where the services are provided already had that function at the time the facility opened or relocated.

2. Supervised consumption services are considered to be offered near a facility or institution referred to in the first paragraph of section 1 if, from the boundaries of the grounds on which the facility or institution is situated, the shortest route to the location where the services are offered by a public road, within the meaning of the third paragraph of section 66 of the Municipal Powers Act (chapter C-47.1), is less than 250 metres or, in the territory of Ville de Montréal, less than 150 metres.

The Government may, by regulation, prescribe other standards relating to the location of supervised consumption services. Those standards may, in particular, relate to the minimal distance required between the location where supervised consumption services are offered and other places frequented by minors or places frequented by vulnerable clientele.

The first paragraph and the regulation made under the second paragraph apply, subject to any municipal zoning by-law which, by express derogation, specifically authorizes offering supervised consumption services.

CHAPTER II

AMENDING PROVISIONS

EDUCATIONAL CHILDCARE ACT

3. The Educational Childcare Act (chapter S-4.1.1) is amended by inserting the following section after section 11.1:

“**11.1.1.** The Minister may refuse to issue a childcare centre or day care centre permit on the grounds that supervised consumption services are offered near the location of a facility included in the permit application.”

4. The Act is amended by inserting the following section after section 21.1:

“**21.1.1.** The Minister may refuse a permit holder’s request for authorization to relocate a facility or to add a new facility on the grounds that supervised consumption services are offered near the desired location for the facility.”

CHAPTER III

TRANSITIONAL AND FINAL PROVISIONS

5. An organization that offers supervised consumption services has two years from (*insert the date of assent to this Act*) to comply with this Act with regard to a site where, on that date, supervised consumption services were offered near a facility or institution referred to in the first paragraph of section 1.

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