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# NATIONAL ASSEMBLY OF QUÉBEC

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FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 896

**An Act to indemnify local  
municipalities when land intended  
for building or enlarging schools  
is transferred**

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**Introduction**

**Introduced by  
Madam Christine Labrie  
Member for Sherbrooke**

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**Québec Official Publisher  
2025**

## **EXPLANATORY NOTES**

*This bill amends the Education Act to provide an indemnification for local municipalities that must transfer land, by gratuitous title, to a school service centre for the purpose of building or enlarging a school, a vocational training centre or an adult education centre. It also amends that Act in order to increase the time limit for municipalities to give their opinion on a school service centre's draft space requirement plan and to approve or refuse the plan.*

*The bill also amends the content of the draft space requirement plan produced by a school service centre to introduce the obligation to provide for an optimal use of land by giving precedence to increasing land occupation density. Lastly, the bill gives the Minister the power to cancel the obligation to transfer land if the Minister considers that a school service centre is not giving precedence to increasing land occupation density.*

## **LEGISLATION AMENDED BY THIS BILL:**

- Education Act (chapter I-13.3).

## Bill 896

### AN ACT TO INDEMNIFY LOCAL MUNICIPALITIES WHEN LAND INTENDED FOR BUILDING OR ENLARGING SCHOOLS IS TRANSFERRED

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### EDUCATION ACT

**1.** The Education Act (chapter I-13.3) is amended by inserting the following section after section 272.2:

**“272.2.1.** A local municipality that must transfer an immovable pursuant to section 272.2 may claim an indemnity from the Government equal to the value of the land on the property assessment roll.”

**2.** Section 272.4 of the Act is amended by adding the following paragraph at the end:

“The draft space requirement plan must provide for an optimal use of immovables by giving precedence to increasing land occupation density.”

**3.** Sections 272.5, 272.6 and 272.7 of the Act are amended by replacing all occurrences of “45 days” and “45-day” by “60 days” and “60-day”, respectively.

**4.** Section 272.12 of the Act is amended by inserting “Without prejudice to the right to the indemnity under section 272.2.1,” at the beginning.

**5.** Section 272.14 of the Act is amended by inserting “, in particular if the Minister considers that a school service centre is not giving precedence to increasing land occupation density in accordance with the third paragraph of section 272.4” at the end.

**6.** Section 272.16 of the Act is amended by adding the following sentence at the end of the third paragraph: “They are also reduced by the amount of an indemnity received from the Government under section 272.2.1.”

#### FINAL PROVISION

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

