



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 98

**An Act to amend the Election Act
mainly to preserve the integrity
of the electoral process**

Introduction

**Introduced by
Mr. Jean-François Roberge
Minister Responsible for Democratic Institutions**

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EXPLANATORY NOTES

This bill amends the Election Act mainly to preserve the integrity of the electoral process. To that end, it creates, among other things, an offence with respect to any person who disseminates certain information that they know to be false with the intent to influence the results of an election, to disturb the conduct of the election or to compromise the public's trust in the electoral process, or who falsely represents certain persons, such as the Chief Electoral Officer or a candidate, with such an intent. The bill also extends the scope of the offence relating to unduly influencing the vote of an elector. Those offences qualify as corrupt electoral practices.

The bill withdraws the prohibition on engaging in publicity in the seven days following the issue of the order instituting a fixed-date general election. In addition, it prohibits the dissemination of publicity on digital platforms on polling day and, in the case of by-elections or advance polling, in the seven days following the issue of the order instituting such elections or polling.

In addition, the bill provides that political parties must report to the Chief Electoral Officer on the expenses related to publicity disseminated during a certain number of months before the election period. As concerns such expenses made by a third person, the bill provides that the latter must file a notice of intention with the Chief Electoral Officer before the publicity concerned is disseminated as well as report on such expenses to the Chief Electoral Officer.

The bill introduces the obligation for political parties to present at least two candidates in every general election, on pain of their authorization being withdrawn.

The bill establishes the confidentiality of certain information, such as the domiciliary address of electors having become surety and that of electors who support a nomination. It also imposes the obligation to destroy personal information relating to electors in certain circumstances.

Furthermore, the bill amends certain terms relating to boards of revisors and polling stations by allowing, in particular, revision and voting to take place at the same time in residential facilities and in an elector's domicile and by allowing an elector temporarily lodged

at their caregiver's domicile to vote at that domicile. The bill withdraws the requirement that the appointment of certain election officers be made in accordance with the recommendations or approval of the political parties. It also allows the Chief Electoral Officer to appoint several assistant returning officers if needed. In addition, the bill adjusts the number of ballot papers required in each polling station so that the number is based on the number of electors who have not already exercised their right to vote instead of on the number of registered electors.

Lastly, the bill contains other measures, such as the creation of the function of deputy official representative and the modification of the criteria for determining the electoral divisions whose election expense limit is to be increased. It also amends certain terms relating to applications for a judicial recount and provides for the partial reimbursement of the costs related to a judicial recount application made by a candidate.

LEGISLATION AMENDED BY THIS BILL:

- Election Act (chapter E-3.3);
- Police Act (chapter P-13.1).

REGULATIONS REPEALED BY THIS BILL:

- Regulation respecting the determination of the candidates entitled to recommend certain election officers (chapter E-3.3, r. 9);
- Regulation respecting the right to recommend enumerators, revisors and revising officers (chapter E-3.3, r. 11).

Bill 98

AN ACT TO AMEND THE ELECTION ACT MAINLY TO PRESERVE THE INTEGRITY OF THE ELECTORAL PROCESS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ELECTION ACT

1. Section 40.15 of the Election Act (chapter E-3.3) is replaced by the following section:

“**40.15.** The enumerators shall be appointed by the returning officer.”

2. Sections 40.16 to 40.18 of the Act are repealed.

3. The Act is amended by inserting the following chapter after section 40.42:

“CHAPTER V

“OBLIGATION TO DESTROY

“**40.43.** A party or party authority whose authorization is withdrawn shall ensure that every list of electors and every document containing personal information relating to electors that it holds are destroyed.

The leader of the party shall, within 60 days after the withdrawal of authorization, sign and remit to the Chief Electoral Officer an attestation, in the form prescribed by the latter, confirming that the obligations set out in the first paragraph have been performed.

“**40.44.** A candidate who is not declared elected shall ensure that every list of electors and every document containing personal information relating to electors that he holds are destroyed.

The candidate shall sign and remit to the Chief Electoral Officer an attestation, in the form prescribed by the latter, confirming that the obligations set out in the first paragraph have been performed,

(1) in the case of a non-authorized candidate, within 60 days after the declaration of election or the candidate’s withdrawal, as the case may be; or

(2) in the case of an authorized candidate, within 60 days after the filing of the financial report provided for in section 122 or within 60 days after payment of the debts referred to in section 123, whichever is later.

If a candidate dies, the official representative shall, within 60 days after the death, take reasonable means to perform the obligations set out in this section.

“40.45. A Member who serves out a term as Member but is not a candidate in the next election or whose seat becomes vacant otherwise than because of the Member’s death shall ensure that every list of electors and every document containing personal information relating to electors that the Member holds are destroyed.

The Member shall, within 60 days after the end of his term or after the seat became vacant, as the case may be, sign and remit to the Chief Electoral Officer an attestation, in the form prescribed by the latter, confirming that the obligations set out in the first paragraph have been performed.”

4. Section 42 of the Act is amended by adding the following paragraph at the end:

“A person designated as official representative shall confirm in writing that he accepts the office.”

5. Section 43 of the Act is amended by replacing the second paragraph by the following paragraphs:

“The official representative of an authorized party may, however, with the written approval of the leader of the party, appoint a deputy official representative. The deputy has the powers conferred on the official representative by this Act, subject to the limits fixed in his deed of appointment. The official representative may, in the same manner, appoint not more than one delegate for each electoral division. The leader of the party may dismiss a deputy or a delegate.

A person appointed as deputy or delegate shall confirm in writing that he accepts the office.

Any expense made by the deputy is deemed to have been made by the official representative up to the amount fixed in the deed of appointment.”

6. Section 45 of the Act is amended by inserting “, deputy official representative” after “official representative”.

7. Section 45.1 of the Act is amended by inserting “, deputy official representatives” after both occurrences of “official representatives”.

8. Section 46 of the Act is amended

(1) by replacing the first paragraph by the following paragraph:

“An official representative, deputy official representative or delegate may resign by sending a written notice to that effect to the Chief Electoral Officer and, as applicable, to the party leader or the person the leader designates in writing, the independent Member or the independent candidate.”;

(2) by replacing “or of a delegate” in the fourth paragraph by “, deputy official representative or delegate”.

9. Section 47 of the Act is amended by inserting the following paragraph after the first paragraph:

“The party must also submit with its application a written undertaking to present at least two candidates in every general election.”

10. Section 48 of the Act is amended by inserting “deputy and” after “those of his” in paragraph 4.

11. Section 57 of the Act is amended by replacing “, as the case may be, the names of its delegates” in the second paragraph by “those of his deputy and delegates, if any”.

12. Section 64 of the Act is amended by inserting “deputy and” after “those of his” in the second paragraph.

13. The Act is amended by inserting the following section after section 68:

“**68.1.** The Chief Electoral Officer shall withdraw the authorization of a party which does not present at least two candidates at a general election, unless the situation is due to the death of a candidate.”

14. Section 72 of the Act is amended by inserting “deputy and” after “those of his” in the second paragraph.

15. Section 83 of the Act is amended by inserting “and pre-election” after “and election”.

16. Section 92 of the Act is amended by striking out the second paragraph.

17. Section 93.1 of the Act, amended by section 144 of chapter 24 of the statutes of 2024, is again amended

(1) by replacing “the name of the elector, the name of the municipality and the postal code of the elector’s domicile” and “instead of the name of the municipality and the postal code of the Member’s or council member’s

domicile” in the second paragraph by “the name of the elector and the name of the municipality of the elector’s domicile” and “instead of the name of the municipality of the Member’s or council member’s domicile”, respectively;

(2) by replacing “the name of the municipality and the postal code of the domicile” in the fourth paragraph by “the name of the municipality of the domicile”.

18. Section 96 of the Act is repealed.

19. Section 104 of the Act is amended by replacing “Only the official representative” by “The official representative”.

20. Section 122 of the Act is amended by replacing “90 days” in the first paragraph by “120 days”.

21. Section 126 of the Act, amended by section 145 of chapter 24 of the statutes of 2024, is again amended, in the first paragraph,

(1) by inserting “, the third paragraph of section 59.1” after “section 59” in subparagraph 2;

(2) by inserting the following subparagraph after subparagraph 3:

“(3.1) to the extent that the creditor, lender, surety or elector is a natural person, the address, except the name of the municipality, referred to in the second paragraph of section 76, the first and second paragraphs of section 105 and subparagraphs 3, 4 and 6 of the first paragraph of section 115;”;

(3) by replacing “and domiciliary address” in subparagraph 5 by “, the name of the municipality of his domicile”.

22. Section 127.1 of the Act is amended by adding the following paragraph at the end:

“Any campaign to designate a person who acts, alone or jointly with other persons, as leader of or spokesperson for a party is considered a leadership campaign for the purposes of this chapter.”

23. Section 127.4 of the Act is amended by striking out the second paragraph.

24. Section 127.8 of the Act is amended

(1) by replacing “95 and 95.1, the last paragraph of section 96 and sections 98” in the first paragraph by “95, 95.1, 98”;

(2) by striking out the first sentence of the second paragraph.

25. Section 127.9 of the Act, amended by section 146 of chapter 24 of the statutes of 2024, is again amended

(1) by striking out “and the postal code” in the second paragraph;

(2) by replacing “instead of the name of the municipality and the postal code of the Member’s or council member’s domicile” in the third paragraph by “instead of the name of the municipality of the Member’s or council member’s domicile”;

(3) by replacing “the name of the municipality and the postal code of the domicile” in the fifth paragraph by “the name of the municipality of the domicile”.

26. The Act is amended by inserting the following after section 127.23:

“127.24. The Commission d’accès à l’information is responsible for overseeing the application of this Title.

To that end, it exercises the functions and powers provided for in the Act respecting the protection of personal information in the private sector (chapter P-39.1).

“TITLE III.2

“PRE-ELECTION PERIOD

“CHAPTER I

“PRE-ELECTION EXPENSES OF POLITICAL PARTIES

“127.25. For the purposes of this chapter, the pre-election period begins on 1 July of the year of the end of the Legislature provided for in the second paragraph of section 6 of the Act respecting the National Assembly (chapter A-23.1) and ends on the day of issue of the order instituting the general election.

However, if the publication provided for in the first paragraph of section 129.1 of this Act has been made, the pre-election period begins on 1 January of the year of the end of the Legislature provided for in the third paragraph of section 6 of the Act respecting the National Assembly.

If the National Assembly is sitting at the time the pre-election period should begin, the beginning of that period is postponed to the day after its proceedings end.

“127.26. The official representative of an authorized party shall, within 150 days after polling day, remit to the Chief Electoral Officer a return of pre-election expenses in the form prescribed by the latter or, if the party did not incur any pre-election expenses, a letter attesting that fact.

The cost of any publicity disseminated during the pre-election period as well as costs relating to carrying out surveys and to categorizing and targeting electors are pre-election expenses if their object is

(1) to promote or oppose, directly or indirectly, the election of a candidate or the candidates of a party;

(2) to propagate or oppose the program or policies of a candidate or party;

(3) to approve or disapprove courses of action advocated or opposed by a candidate or party; or

(4) to approve or disapprove any acts done or proposed by a party, a candidate or their supporters.

However, an expense referred to in paragraphs 1 to 4 of section 404 is not a pre-election expense within the meaning of this section.

“127.27. The official representative’s return of pre-election expenses shall be signed by the party leader and accompanied by a declaration by the latter in the form prescribed by the Chief Electoral Officer. The declaration shall state, in particular, that the leader has been informed of the rules regarding party pre-election expenses, that he has reminded the persons authorized to make or authorize such expenses of their obligation to comply with those rules, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.

The return shall also be accompanied by a declaration by the official representative in the form prescribed by the Chief Electoral Officer.

“127.28. If the return of pre-election expenses is not filed within the fixed time, the leader of the party or, if he is not a Member, the leader of the party in the House becomes, 10 days after the expiry of the prescribed time, disqualified from sitting and voting in the National Assembly until the return of pre-election expenses is filed.

If there is no leader of the party in the House, the Member designated by the leader of the party loses the right to sit and to vote, in accordance with the first paragraph.

The third paragraph of section 442 and sections 443, 444 and 448 apply to this chapter, with the necessary modifications.

“CHAPTER II

“EXPENSES OF THIRD PERSONS

“**127.29.** For the purposes of this chapter, the pre-election period begins on 1 January of the year of the end of the Legislature provided for in the second paragraph of section 6 of the Act respecting the National Assembly (chapter A-23.1) and ends on the day of issue of the order instituting the general election.

However, if the publication provided for in the first paragraph of section 129.1 of this Act has been made, the pre-election period begins on 1 June of the year of the end of the Legislature provided for in the third paragraph of section 6 of the Act respecting the National Assembly.

“**127.30.** Any natural person, legal person established for a private interest, partnership or association or any other group not endowed with juridical personality, except an authorized entity, a Member, a candidate, a person who takes part in a proceeding to be recognized as a candidate of an authorized party or as a leadership candidate, is a third person.

“**127.31.** Third persons must, before the dissemination of pre-election partisan publicity in respect of which they have made or incurred an expense of a value of more than \$1,000, file a notice of intention with the Chief Electoral Officer.

If the third persons resorted to their own means or those of their officers, the value of the expense is assessed at the lowest market retail price in the region in which and at the time when equivalent services would be offered to the public in the ordinary course of business.

Any publicity disseminated during the pre-election period to directly promote or oppose the election of a candidate or party is pre-election partisan publicity.

However, an expense referred to in paragraphs 1 to 3 of section 404 is not a pre-election partisan publicity expense within the meaning of this section.

“**127.32.** The notice of intention, the form of which is prescribed by the Chief Electoral Officer, shall state the third person’s name, address, telephone number and email address as well as the name, address, telephone number and email address of the third person’s respondent and of the third person’s most senior officer.

If the third person is a natural person, the notice must instead state the third person’s name, address, telephone number and email address.

The notice of intention shall be filed not earlier than three months before the beginning of the pre-election period.

“127.33. On receipt of a compliant notice of intention, the Chief Electoral Officer shall assign, without delay, a number to the notice of intention and shall inform the third person of their obligations under this Title.

The Chief Electoral Officer may refuse to assign a number to a notice of intention if the name of the third person is substantially the same as that of an authorized party.

Before refusing to assign a number to a notice of intention, the Chief Electoral Officer shall allow the third person concerned to present observations or make any necessary corrections. An unfavourable decision must be in writing and contain reasons, and section 457.21 applies to the decision, with the necessary modifications.

“127.34. Any pre-election partisan publicity referred to in the first paragraph of section 127.31 must mention the name of the third person disseminating it.

“127.35. In the case of a change regarding the information provided by the third person in the notice of intention, the third person’s respondent or, if a natural person, the third person himself, shall notify the Chief Electoral Officer in writing and without delay.

“127.36. A third person’s respondent who resigns must, within 10 days after resigning, send to the third person’s most senior officer a report on the pre-election partisan publicity expenses referred to in the first paragraph of section 127.31, with vouchers, covering the period during which he exercised his functions.

“127.37. If the third person’s respondent dies, resigns, is dismissed or is unable to act, the third person’s most senior officer shall notify in writing the Chief Electoral Officer and immediately appoint a substitute.

“127.38. Within 30 days after polling day, any third person concerned by a notice of intention to which a number has been assigned must send the Chief Electoral Officer a report on pre-election partisan publicity expenses in the form prescribed by the latter.

The report must include a brief description of the means of dissemination used, the expenses made, the dates on which pre-election partisan publicity was disseminated and the content of the publicity.

The report must also contain a declaration of the third person’s respondent or, if a natural person, of the third person himself by which he confirms that, to his knowledge, the information provided is accurate and complete.

Section 444 applies to the report referred to in this section, with the necessary modifications.

“CHAPTER III

“DOCUMENTS AND INFORMATION RELATING TO PRE-ELECTION EXPENSES

“**127.39.** The Chief Electoral Officer shall post on his website the dates on which a notice of intention number was assigned and the name of the third person concerned by each notice.

“**127.40.** The Chief Electoral Officer shall post on his website, within 90 days after receiving them, the returns of party pre-election expenses referred to in section 127.26 and the reports on third person pre-election partisan publicity expenses referred to in section 127.38.

However, the Chief Electoral Officer shall not post the third person’s address, except the name of the municipality, or telephone number or email address if the third person is a natural person, or those of the third person’s respondent and most senior officer in other cases.

“**127.41.** Every party and third person shall, for seven years from the end of the pre-election period, keep the vouchers enabling verification of compliance with the provisions of this Title.

“**127.42.** The Chief Electoral Officer shall have access to all books, accounts and documents pertaining to pre-election expenses of political parties and pre-election partisan publicity expenses of third persons.

At the request of the Chief Electoral Officer, every party and third person must provide within 30 days any information required for the purposes of this Title.

“**127.43.** Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no person has a right of access to the documents prescribed by this Title before the date of expiry of the period prescribed for their filing. If they are filed after that period, they are accessible upon their date of filing.”

27. Section 135 of the Act is amended by replacing “a document to every dwelling” by “to every dwelling where at least one person is registered on the list of electors a document”.

28. Section 136 of the Act is amended by replacing “or the person designated by him” in the third paragraph by “, the person designated by him or the officer in charge of information and order”.

29. Section 139 of the Act is amended by replacing “on the days prescribed by this Act” by “during the hours prescribed”.

30. Section 140 of the Act is amended by striking out “except the officer in charge of information and order”.

31. Section 145 of the Act is amended by striking out the third paragraph.

32. Sections 181 to 186 of the Act are replaced by the following section:

“181. Not later than the twenty-sixth day before polling day, the Chief Electoral Officer appoints three revisors to each board of revisors and designates a chair from among them.

In the case of a mobile board of revisors, the returning officer may appoint the deputy returning officer and the poll clerk as revisors.

The presence of the chair is not required except in the event of a disagreement between the revisors or in the absence of one of them.”

33. Section 188 of the Act is replaced by the following section:

“188. The returning officer may appoint a secretary to a board of revisors.

He appoints a sufficient number of teams of two revising officers as well as the additional personnel required by the boards of revisors to perform their functions.”

34. Section 192 of the Act is amended

(1) by striking out subparagraph 3 of the first paragraph;

(2) by striking out the second paragraph.

35. Section 193 of the Act, amended by section 50 of chapter 37 of the statutes of 2021, is again amended by replacing “9:00 a.m. to 9:00 p.m.” and “9:00 a.m. to 5:00 p.m.” in the first paragraph by “9:30 a.m. to 8:00 p.m.” and “9:30 a.m. to 4:00 p.m.”, respectively.

36. Section 194 of the Act is amended by replacing “for the period referred to in section 193” in the first paragraph by “between the 21st and fourth days before polling day”.

37. Section 196 of the Act is amended by striking out “, or in the absence of the chair, the vice-chair” in the third paragraph.

38. Section 210 of the Act is amended by striking out “in a case described in the second paragraph of section 192,” in the first paragraph.

39. Section 211 of the Act is amended by striking out “or if the request for removal is made under section 233.4”.

40. Section 222 of the Act is amended by replacing “9:00 a.m. to 9:00 p.m.” and “9:00 a.m. to 5:00 p.m.” in the first paragraph by “9:30 a.m. to 8:00 p.m.” and “9:30 a.m. to 4:00 p.m.”, respectively.

41. Section 230 of the Act is amended

(1) by adding the following paragraph at the beginning:

“The Chief Electoral Officer appoints the revisors of the board of revisors for electors outside Québec and designates a chair from among them.”;

(2) by striking out “182, 184 to 186,” in the first paragraph.

42. Section 233.4 of the Act is amended by replacing “directs the returning officer concerned to remove” by “removes”.

43. Section 235 of the Act is amended by inserting “, 127.28” after “127” in subparagraph 3 of the second paragraph.

44. Section 237 of the Act is amended by replacing the first paragraph by the following paragraphs:

“A person may offer himself as a candidate within the period extending,

(1) in the case of a general election held on the date fixed under the second paragraph of section 129 or the first paragraph of section 129.2, from the first Monday following the adjournment of the National Assembly preceding polling day until 2:00 p.m. on the eighteenth day preceding polling day;

(2) in the case of a by-election referred to in the first paragraph of section 130, from the day on which the Member’s seat in the National Assembly becomes vacant until 2:00 p.m. on the sixteenth day preceding polling day; or

(3) in other cases, from the day on which the order instituting an election is issued until 2:00 p.m. on the sixteenth day preceding polling day.

The nomination paper is to be filed with the Chief Electoral Officer or, if it is filed after the order is issued, with the returning officer. It may be filed using a means of transmission determined by the Chief Electoral Officer and adapted to the latter’s technological environment.”

45. The Act is amended by inserting the following section after section 237:

“237.1. Any nomination paper transmitted prior to the publication in the *Gazette officielle du Québec* provided for in section 129.1 lapses. The same applies to any nomination paper transmitted following a vacancy in a Member’s seat where the order instituting a general election is issued.”

46. Section 241 of the Act is amended by striking out “and bearing the person’s signature on the back” in subparagraph 3 of the first paragraph.

47. Section 245 of the Act is amended

(1) by replacing “shall verify whether”, “The returning officer shall”, “the returning officer may” and “the returning officer has” in the first paragraph by “or, in the case of a nomination paper transmitted before the order instituting the election is issued, the Chief Electoral Officer shall verify whether”, “He shall also”, “he may” and “he has”, respectively;

(2) by inserting “or the Chief Electoral Officer, as the case may be,” after “the returning officer” in the second paragraph.

48. Section 246 of the Act is amended by replacing “candidate’s address” in the second paragraph by “the address of a candidate and of an elector supporting a nomination”.

49. Section 249 of the Act is amended by inserting “or the deputy of an official agent” after all occurrences of “official agent”.

50. Section 251 of the Act is amended by replacing “or official agent” by “, official agent, or deputy of an official agent”.

51. Section 256 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: “However, if the candidate withdraws before the order instituting the election is issued, the declaration shall be remitted to the Chief Electoral Officer.”;

(2) by striking out “with the returning officer” in the second paragraph.

52. Section 301.7 of the Act is amended

(1) by replacing the first sentence by the following sentence: “The poll is held on the tenth, ninth, sixth, fifth and fourth days before polling day.”;

(2) by adding the following sentence at the end: “On the last day, voting ends at 2:00 p.m.”

53. Section 301.9 of the Act is amended by striking out “and sends a copy to the candidates”.

54. The heading of subdivision 4 of Division II.2 of Chapter V of Title IV of the Act is replaced by the following heading:

“§4. — *Voting by electors at their domicile or the domicile of their caregiver*”.

55. Section 301.19 of the Act is amended

(1) by inserting “or the domicile of their caregiver” after “at their domicile” in the introductory clause of the first paragraph;

(2) by replacing “as informal caregivers of electors having the right to vote at their domicile may vote at that domicile” in the third paragraph by “as caregivers may vote at the place where electors referred to in the first paragraph have the right to vote”.

56. Section 301.21 of the Act is replaced by the following section:

“301.21. Polling stations may visit electors’ or caregivers’ domiciles during the period specified in section 263.”

57. Section 308 of the Act is amended by adding the following paragraph at the beginning:

“The returning officer shall appoint polling officers.”

58. Sections 310 to 312 of the Act are repealed.

59. Section 312.1 of the Act is amended

(1) by striking out the second sentence of the second paragraph;

(2) by striking out “If there are three or fewer polling stations on the premises,” in the third paragraph.

60. Section 313 of the Act is amended by replacing “, poll clerks and officers assigned to the list of electors” in the first paragraph by “and poll clerks”.

61. Section 321 of the Act is amended by inserting “the returning officer or” after “shall be provided by”.

62. Section 327 of the Act, amended by section 95 of chapter 37 of the statutes of 2021, is again amended by inserting “who have not exercised their right to vote” after “electors entered on the list” in the second paragraph.

63. Section 328 of the Act is amended by striking out “, the officer assigned to the list of electors” in the first paragraph.

64. Section 361 of the Act is amended, in the second paragraph,

(1) by striking out the second sentence;

(2) by replacing “sections 312 and 313 do not apply” by “section 313 does not apply”.

65. Section 370.8 of the Act is amended by striking out the second and third paragraphs.

66. Section 385 of the Act is replaced by the following section:

“385. Under pain of dismissal, the application shall be served on the Chief Electoral Officer and the returning officer. The application shall also be served on the candidate who has received the greatest number of votes in the electoral division and his official representative and, in the event of a tie between that candidate and other candidates, on those other candidates and their official representatives.

The application shall also be notified to the candidates who are not referred to in the first paragraph and to their official representatives.

The application shall be filed with the office of the Court of Québec within four days after the votes have been added up. Saturdays and holidays are not counted in calculating that period.”

67. Section 386 of the Act is amended by adding the following paragraph at the end:

“Saturdays and holidays are not counted in calculating the period specified in the first paragraph.”

68. The Act is amended by inserting the following section after section 396:

“396.1. The Chief Electoral Officer shall reimburse the candidate one-half of the costs incurred in connection with a judicial recount application, up to \$20,000.

The application for a reimbursement must be sent in the form prescribed by the Chief Electoral Officer and indicate the amount and the nature of the costs.

The amount provided for in the first paragraph is adjusted on 1 January each year according to the change in the average Consumer Price Index for the preceding year, based on the index established for the whole of Québec by Statistics Canada. The amount is rounded down to the nearest dollar if it includes a fraction that is less than \$0.50, or up to the nearest dollar if it includes a fraction that is equal to or greater than \$0.50. The Chief Electoral Officer shall publish the results of the adjustment in the *Gazette officielle du Québec*.”

69. Section 404 of the Act is amended by inserting “or his deputy” after “official representative” in paragraph 11.

70. Section 406 of the Act is amended by inserting the following sentence after the first sentence of the first paragraph: “A person designated as a deputy shall confirm in writing that he accepts the office.”

71. Section 414 of the Act is amended by inserting “, his deputy” after “official representative” in the fourth paragraph.

72. Section 419 of the Act is amended

(1) by replacing “his deputy or” in the first paragraph by “his deputy, the official representative of a party or”;

(2) by replacing “by the name and title of the official representative of the party authority, the official agent of the party or his deputy, or the official agent of the candidate” in the third paragraph by “by the title of the person who authorized the expense”.

73. Section 420 of the Act is amended by striking out “name and” in the third paragraph.

74. Section 421 of the Act is amended

(1) by striking out all occurrences of “name and” in the first and second paragraphs;

(2) by replacing “name and title of the official agent or deputy official agent must be mentioned” in the third paragraph by “title of the official agent or deputy official agent must be mentioned”.

75. Section 421.1 of the Act is amended by striking out “name and” in the second paragraph.

76. Section 422 of the Act is amended by striking out both occurrences of “name and”.

77. Section 422.1 of the Act is amended

(1) by replacing “90 days” in the third paragraph by “120 days”;

(2) by striking out “name and” in the fourth paragraph.

78. Section 426 of the Act is amended

(1) by replacing the second sentence of the second paragraph by the following sentence: “However, the maximum is increased by \$1.13 per elector in the electoral division of Îles-de-la-Madeleine and by \$0.23 per elector in any other electoral division that meets at least two of the following criteria:

(1) the land area is at least 20,000 square kilometres;

(2) the area to be served is at least 7,500 square kilometres;

(3) the distance by road between the two municipalities that are the farthest from each other in the electoral division exceeds 200 kilometres; and

(4) the number of electors, on the day on which the order instituting an election is issued, is more than 25% below the quotient obtained by dividing the total number of electors by the number of electoral divisions.”;

(2) by inserting the following paragraph after the third paragraph:

“The Chief Electoral Officer shall publish, as soon as possible after the order instituting the election is issued, the list of the electoral divisions qualifying for an expense limit increase under the second paragraph.”

79. Section 427 of the Act is amended by replacing “For the purposes of sections 426, 457 and 457.1” in the first paragraph by “For the purposes of section 426, except subparagraph 4 of the second paragraph, and sections 457 and 457.1”.

80. Section 429 of the Act is amended

(1) by replacing “post or cause to be posted in a space leased for that purpose” in the first paragraph by “disseminate or cause to be disseminated on a digital platform”;

(2) by adding the following paragraph at the end:

“The prohibition set out in the first paragraph does not apply in the case of a general election held on the date fixed under the second paragraph of section 129 or the first paragraph of section 129.2.”

81. Section 429.1 of the Act is amended by replacing “or publish or cause to be published in a newspaper or other periodical” by “publish or cause to be published in a newspaper or other periodical or disseminate or cause to be disseminated on a digital platform”.

82. Section 432 of the Act is amended by replacing “90 days” in the first paragraph by “120 days”.

83. Section 434 of the Act is amended by replacing “120 days” in the first paragraph by “150 days”.

84. Section 457.7 of the Act is amended

(1) by inserting the following paragraph after the first paragraph:

“However, the date of birth, the address, except the name of the municipality, and the telephone number of a person referred to in subparagraph 1 of the first paragraph of section 457.3 and subparagraphs 2 and 4 of the first paragraph of section 457.4 are not accessible.”;

(2) by replacing “However, notwithstanding the second paragraph of section 10 of that Act” in the second paragraph by “Notwithstanding the second paragraph of section 10 of the Act respecting Access to documents held by public bodies and the Protection of personal information”.

85. Section 488 of the Act, amended by section 150 of chapter 24 of the statutes of 2024, is again amended by striking out “, omitting, if the information is published on a website on the Internet, the addresses of the electors who have made a contribution; however, in such a case, a copy in paper form that contains the addresses of those electors must be available” in subparagraph 2 of the first paragraph.

86. Section 510 of the Act is amended by replacing “in particular because of the area covered by the electoral division or because some electors live a great distance away, the Chief Electoral Officer may authorize the appointment of a second assistant returning officer” in the first paragraph by “the Chief Electoral Officer may authorize the appointment of one or more other assistant returning officers”.

87. Section 551.1.1 of the Act is amended by replacing “who collects” by “who contravenes a provision of sections 40.43 to 40.45 or collects”.

88. The Act is amended by inserting the following section after section 556:

“556.0.1. The following persons, when acting with the intent to influence the results of the election, to disturb the conduct of the election or to compromise the public’s trust in the election process, are liable, in the case of a natural person, to a fine of \$1,000 to \$10,000 for a first offence and of \$10,000 to \$30,000 for any subsequent offence within 10 years, or, in other cases, to a fine of \$5,000 to \$30,000 for a first offence and of \$20,000 to \$60,000 for any subsequent offence within 10 years:

(1) every person who disseminates or allows to be disseminated information that he knows to be false and that relates to any of the following matters:

(a) the conditions to be a qualified elector or to be eligible to run as a candidate in an election;

(b) the process for updating the list of electors;

(c) the voting procedures, in particular the time and place;

(d) the nomination process;

(e) the rules regarding financing and expenses;

(f) the counting and addition of votes; and

(g) the results of the election;

(2) every person who assumes the identity of one of the following persons or, with intent to deceive the public or mislead it regarding the authenticity of a representation, disseminates or allows to be disseminated any representation that he knows to be false of the image or voice of any of those persons:

(a) the Chief Electoral Officer, a member of his personnel or an election officer;

(b) a Member, a candidate, a party leadership candidate or a party leader;

(3) every person who disseminates or allows to be disseminated information that he knows to be false and that concerns a Member's, candidate's, party leadership candidate's or party leader's citizenship, place of birth, education, professional qualifications or affiliation with a group or association; and

(4) every person who disseminates or allows to be disseminated information that he knows to be false and according to which a Member, candidate, party leadership candidate or party leader has been found guilty of an offence under an Act or a regulation.

Disseminating information or a representation of the image or voice of a person for the purpose of parody or satire does not constitute an offence within the meaning of this section.”

89. Section 558 is amended by replacing subparagraph 1 of the first paragraph by the following subparagraph:

“(1) every person who, personally or through another person, in order to influence the vote of an elector, incites or attempts to incite the elector to vote in favour of a candidate or to refrain from voting by promising or granting him any gift, loan, office, employment or other benefit or by threatening him;”.

90. Section 559 of the Act is amended by replacing “who makes a false declaration, files a false report” in the second paragraph by “or every third person or third person’s respondent referred to in Chapter II of Title III.2 who makes a false declaration, files a false report or a false report on pre-election partisan publicity expenses”.

91. Section 559.0.1 of the Act is amended by inserting “, letter” after “report” in paragraph 1.

92. Section 559.2 of the Act is amended by adding the following paragraph at the end:

“(3) the third person or third person’s respondent who allows pre-election partisan publicity not to include the particulars required by section 127.34.”

93. Section 562 of the Act is amended by inserting “, 127.28” after “127”.

94. Section 563 of the Act is amended

(1) by replacing “a report or return prescribed by Titles III and IV” in the first paragraph by “a report or return or a report on pre-election partisan publicity expenses required by Titles III, III.2 and IV”;

(2) by replacing “with section 112.1” in the second paragraph by “with sections 112.1 and 127.42”.

95. Section 564 of the Act is amended

(1) by striking out “96,”;

(2) by inserting “, 127.31” after “127.10”.

96. Section 566.1 of the Act is amended

(1) by replacing “a delegate of its official representative, its official agent or a deputy of its official agent” by “a delegate or deputy of that representative, its official agent or a deputy of that agent”;

(2) by adding the following paragraph at the end:

“If the party commits an offence, every person mentioned in the first paragraph who committed, allowed or tolerated the offence may be prosecuted and found guilty with the party or instead of the party.”

97. Section 567 of the Act is amended by inserting “in section 556.0.1,” after “section 556,” in the first paragraph.

98. Section 568 of the Act is amended by replacing “section 557 or 558” in the second paragraph by “section 556.0.1, 557 or 558”.

99. The Act is amended by inserting the following section after section 568:

“568.0.1. Despite sections 1 and 568, any person found guilty of an offence under any of the following provisions retains his status as a qualified elector for the purpose of exercising his right to vote and remains entered on the permanent list of electors:

(1) section 564.2, where it refers to section 91 or the third paragraph of section 127.7;

(2) paragraph 2 of section 610 of the Act respecting elections and referendums in municipalities (chapter E-2.2), where it refers to subparagraph *d* of paragraph 1 of that section;

(3) paragraph 2 of section 219.8 of the Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3), where it refers to subparagraph *d* of paragraph 1 of that section.

For a subsequent offence within five years, the person who is found guilty is removed from the permanent list of electors and loses the right to vote for a period of five years from the date of the judgment rendered in respect of the second offence.”

100. Schedule II to the Act is amended by striking out “361,”.

POLICE ACT

101. Section 124 of the Police Act (chapter P-13.1) is amended by replacing “candidates and official agents” by “candidates, official agents and deputy official agents”.

REGULATION RESPECTING THE DETERMINATION OF THE CANDIDATES ENTITLED TO RECOMMEND CERTAIN ELECTION OFFICERS

102. The Regulation respecting the determination of the candidates entitled to recommend certain election officers (chapter E-3.3, r. 9) is repealed.

REGULATION RESPECTING THE RIGHT TO RECOMMEND ENUMERATORS, REVISORS AND REVISING OFFICERS

103. The Regulation respecting the right to recommend enumerators, revisors and revising officers (chapter E-3.3, r. 11) is repealed.

FINAL PROVISION

104. The provisions of this Act come into force on 1 July 2026, except those of section 26, insofar as they enact sections 127.29 to 127.38 and, to the extent that they concern third persons, sections 127.39 to 127.43 of the Election Act (chapter E-3.3), and those of sections 92 and 94 and paragraph 2 of section 95, which come into force on 1 January 2026.