



NATIONAL ASSEMBLY

FIRST SESSION

FORTIETH LEGISLATURE

Bill 3

**An Act to amend the Election Act for the
purpose of establishing fixed-date
elections**

Introduction

**Introduced by
Mr. Bernard Drainville
Minister responsible for Democratic Institutions and Active
Citizenship**

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EXPLANATORY NOTES

This bill amends the Election Act in order to provide henceforth for the holding of a general election on a fixed date every four years on the last Monday of the month of September.

LEGISLATION AMENDED BY THIS BILL:

- Act respecting the National Assembly (chapter A-23.1);
- Election Act (chapter E-3.3).

Bill 3

AN ACT TO AMEND THE ELECTION ACT FOR THE PURPOSE OF ESTABLISHING FIXED-DATE ELECTIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ELECTION ACT

1. Section 129 of the Election Act (chapter E-3.3) is replaced by the following section:

“129. At a general election, the polling day is the same for all electoral divisions.

Subject to the last paragraph of section 6 of the Act respecting the National Assembly (chapter A-23.1), the first general election following the end of the 40th Legislature shall be held on 26 September 2016, and subsequent general elections shall be held on the last Monday of September of the fourth calendar year following the year that includes the most recent general election polling day.”

2. The Act is amended by inserting the following section after section 129:

“129.1. If the Chief Electoral Officer is of the opinion that the polling day determined under the second paragraph of section 129 is not suitable, including by reason of its coinciding with the holding of another election, the Chief Electoral Officer may postpone the general election to the following Monday.

Not later than two months before the scheduled polling day, the Chief Electoral Officer shall publish a notice in the *Gazette officielle du Québec* of the date determined under the first paragraph.”

3. Section 130 of the Act is amended by replacing “more than four years after receipt by the Secretary General of the National Assembly of the list of candidates declared elected referred to in section 380” in the second paragraph by “six months or less before the date of the next general election fixed under the second paragraph of section 129”.

4. Section 131 of the Act is amended by inserting “Except in the case of a general election whose date is fixed under the second paragraph of section 129,” at the beginning of the first paragraph.

5. Section 401 of the Act is amended by adding “the election period must be not less than 32 days nor more than 38 days;” at the end of subparagraph 1 of the first paragraph.

ACT RESPECTING THE NATIONAL ASSEMBLY

6. Section 6 of the Act respecting the National Assembly (chapter A-23.1) is replaced by the following section:

“**6.** A Legislature starts upon the receipt by the Secretary General, after a general election, of the list of the candidates declared elected transmitted by the Chief Electoral Officer pursuant to section 380 of the Election Act (chapter E-3.3).

A Legislature ends on the second last Monday of the month of August of the fourth calendar year following the year that includes the most recent general election polling day.

Only the Lieutenant-Governor may dissolve the National Assembly before the expiry of a Legislature.”

FINAL PROVISION

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