

Bill 3

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

Section 1

**AMENDMENT:**

Replace by:

1. Section 129 of the Act is replaced by the following section:

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

For the purposes of the second paragraph of section 6 of the Act respecting the National Assembly (chapter A-23.1), the general election following the end of a Legislature shall be held on the first Monday of October of the fourth calendar year following the year that includes the last day of the previous Legislature.”

*Adoptée*

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Section 1

**AMENDMENT:**

Add at the end:

Nothing in this section affects the power of the Lieutenant-Governor to dissolve the National Assembly before the end of a Legislature.

*Adopté au*

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Section 2

**AMENDMENT:**

Replace by:

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

“129.1. If, 15 days before 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), the Chief Electoral Officer notes that the election period for the general election provided for in section 129 would overlap the election period for the next federal or municipal general election, the Chief Electoral Officer shall publish the dates of the election periods and the dates of the overlap in the *Gazette officielle du Québec*.

However, if the application of the third paragraph of section 6 of the Act respecting the National Assembly would extend the term of the Legislature beyond five years, the Chief Electoral Officer shall not make the publication provided for in the first paragraph.

*Adopté*

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Section 2

**AMENDMENT:**

Add at the end:

**“129.2.** If two election periods overlap and the dates of the overlap are published in the *Gazette officielle du Québec* in accordance with the first paragraph of section 129.1, the general election shall be held, in accordance with the third paragraph of section 6 of the Act respecting the National Assembly (chapter A-23.1), on the first Monday of April of the fifth calendar year following the year that includes the last day of the previous Legislature.

The Chief Electoral Officer shall publish the date of the general election determined under the first paragraph in the *Gazette officielle du Québec*. The Chief Electoral Officer shall also make any advertisement necessary and provide all relevant information in order to inform the public of that date.”

*Adoptée*

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Section 3

**AMENDMENT:**

Insert "or after that date if the general election is to be held on the date fixed under the first paragraph of section 129.2" after "section 129".

*Adopted*

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Section 4

**AMENDMENT:**

Replace by:

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 or the first paragraph of section 129.2," at the beginning of the first paragraph.

*Adopted*

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Section 5

**AMENDMENT:**

This section is struck out.

*Adopted*

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Section 5.1

**AMENDMENT:**

Insert after section 5:

**5.1.** Section 466 of the Act is amended by replacing “, prorogation or dissolution of the National Assembly” in the second paragraph by “ or prorogation of the National Assembly or the end of the Legislature in accordance with section 6 of the Act respecting the National Assembly (chapter A-23.1)”.

*Adoptée*



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Section 5.2

**AMENDMENT:**

Insert after section 5.1:

**5.2.** Section 490 of the Act is amended by inserting the following paragraph after the first paragraph:

“As well, the Chief Electoral Officer may postpone the election until the following Monday in the event of a major disaster or another serious and unforeseeable situation.”

*Adopted*

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Section 6

**AMENDMENT:**

Replace the second paragraph of proposed section 6 by the following paragraphs:

A Legislature ends on 29 August of the fourth calendar year following the year that includes the most recent general election polling day.

However, if the publication provided for in the first paragraph of section 129.1 of the Election Act has been made, the Legislature ends instead on 27 February, or 28 February in the case of a leap year, of the fifth calendar year following the year that includes the most recent general election polling day.”

*Adopted as*

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Section 0.1

**AMENDMENT:**

Insert before section 1:

**0.1.** Section 32 of the Election Act (chapter E-3.3) is amended

(1) by replacing “upon the dissolution of the National Assembly” by “when the Legislature ends in accordance with section 6 of the Act respecting the National Assembly (chapter A-23.1)”;

(2) by replacing “the dissolution occurs” by “it ends”.

*Adopté au*

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Section 0.2

**AMENDMENT:**

Insert after section 0.1:

**0.2.** Section 91 of the Act, amended by section 8 of chapter 26 of the statutes of 2012, is again amended

(1) by replacing “for which an order was issued under section 128 may make” in the second paragraph by “in which an election is held may make, for that election,”;

(2) by replacing the third paragraph by the following paragraph:

“The contributions referred to in the second paragraph may be made,

(1) for a general election to be held under the second paragraph of section 129, during the entire calendar year in which the election is held;

(2) for a general election to be held under the first paragraph of section 129.2, during the entire calendar year in which the election is held and the entire calendar year preceding that year;

(3) for a general election to be held under the first paragraph of section 131, as of the day following the issue of the order instituting the election and up to the 90th day after polling day; and

(4) for a by-election, as of the date on which the seat becomes vacant up to the 30th day after polling day.”

*Adopted*