

Returning Officer Report to  
Regular Meeting of Council  
2024 December 17

ISC: UNRESTRICTED  
C2024-1252

## **Proposed Elections Bylaw 50M2024**

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### **PURPOSE**

This report recommends three readings of a new Elections Bylaw, Bylaw 50M2024 (Attachment 1). The proposed Elections Bylaw 50M2024 repeals and replaces existing Bylaw 35M2018 (Attachment 2). The Elections Bylaw addresses procedures required to administer a general election, by-election, and vote of the electors on a question or bylaw. Changes to the Elections Bylaw are required and desired by Council to align with *Municipal Affairs Statutes Amendment Act* (Bill 20) amendments to the *Local Authorities Election Act* (LAEA), and administrative requirements for the 2025 January 31 Calgary Catholic School District (CCSD) By-election.

### **PREVIOUS COUNCIL DIRECTION**

That Council direct the Returning Officer to prepare a proposed Elections Bylaw and return to the 2024 December 17 Regular Meeting of Council for three readings; and that Council direct the Returning Officer to require:

1. All individuals seeking election to Calgary City Council must submit a valid Police Information Check (PIC) including a Criminal Record Check (CRC), as part of their nomination papers.
2. The completed PIC must be dated no earlier than six months before the date of the candidate's nomination submission.
3. Any costs associated with obtaining the PIC will be borne by the candidate.
4. This amendment shall take effect for the 2025 municipal election and all subsequent elections.

### **RECOMMENDATION:**

That Council give three readings to proposed Bylaw 50M2024, as set out in Attachment 1, to repeal and replace Bylaw 35M2018.

### **CHIEF ADMINISTRATIVE OFFICER/GENERAL MANAGER COMMENTS**

The City Solicitor and General Counsel was consulted in preparing this report.

### **HIGHLIGHTS**

- The LAEA permits Council to pass bylaws to provide authority and govern procedures for various aspects of a general election, by-election or vote of the electors on a question or bylaw.
- In preparation for the 2025 General Election, changes to the Elections Bylaw are required to align with Bill 20 amendments to the LAEA and Council direction that the Elections Bylaw require a person seeking to be nominated as a council member candidate to provide a criminal record check.
- The Board of Trustees of the Calgary Catholic School District (CCSD) has set 2025 January 31 as the date of a by-election to fill two school board trustee vacancies. With each trustee representing two City wards, the vacancies are in Wards 4 and 7, and Wards 11 and 12.

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- The City's Elections Bylaw governs aspects of school board elections, for which The City's Returning Officer is accountable. Proposed Elections Bylaw 50M2024 reflects administrative requirements for the 2025 January 31 CCSD By-election.
- For ease of reference, a new Elections Bylaw (Bylaw 50M2024) is recommended to repeal and replace existing Bylaw 35M2018.

### **DISCUSSION**

Attachment 3 summarizes key changes proposed in Elections Bylaw 50M2024. Upon the Elections Bylaw 50M2024 coming into force:

- Council member candidate nomination requirements, including submission of a criminal record check will be communicated through a media advisory, the Elections Calgary website, candidate newsletters, candidate information sessions planned to occur in 2025; and
- A comprehensive awareness and communications plan has been developed for the 2025 General Election, which will include tactics to support voters with information on how, when, and where to vote. These tactics will include a voter information guide and voter information cards delivered to each household, information on the Elections Calgary website, plans to mitigate and encourage voting among underrepresented communities and persons experiencing voting barriers, earned media plans and advertising campaigns.

Elections Calgary continues to refine its operational readiness plans to ensure the 2025 General Election is fair, efficient, and legislatively compliant.

### **EXTERNAL ENGAGEMENT AND COMMUNICATION**

- |  |   |
|--|---|
| <input type="checkbox"/> Public engagement was undertaken        | <input checked="" type="checkbox"/> Dialogue with interested parties was undertaken |
| <input type="checkbox"/> Public/interested parties were informed | <input type="checkbox"/> Public communication or engagement was not required        |

Representatives from the Calgary Board of Education (CBE) and CCSD were informed of Council's 2024 November 26 direction that the Elections Bylaw include a requirement for persons seeking to be nominated as a council member candidate to provide a criminal record check. Each school board is considering their own bylaw with respect to school board trustee candidate requirements to provide a criminal record check.

Representatives from the CCSD were also consulted regarding administrative requirements and estimated budget required to deliver their 2025 January 31 By-election.

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### IMPLICATIONS

**Social, Environmental or Economic**  
Not applicable.

#### Service and Financial Implications

**Other:**

Financial impacts of election procedure changes arising from Bill 20 amendments to the LAEA have been estimated at \$1.3 million dollars and will be accommodated within existing Municipal Elections one-time funding and anticipated positive budget variances within the Law, Legislative Services and Security Department.

In keeping with an agreement between The City, CBE and CCSD, all costs associated with planning and delivery of the 2025 January 31 CCSD By-election are the responsibility of the CCSD.

### RISK

There is a risk that council member candidates who wish to file their nomination papers in early January 2025 may not be aware of the new criminal record check requirements, should Council adopt this requirement in the proposed Elections Bylaw 50M2024. To mitigate this risk, Elections Calgary will issue a media release to promote the new requirements and encourage prospective candidates to visit the Elections Calgary website for full details and reach out to Elections Calgary with inquiries.

### ATTACHMENTS

1. Proposed Elections Bylaw 50M2024
2. Elections Bylaw 35M2018
3. Summary of Key Changes in Bylaw 50M2024
4. Presentation

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Katarzyna Martin, Returning Officer	Law, Legislative Services and Security	Approve
Jill Floen, City Solicitor and General Counsel	Law, Legislative Services and Security	Consult

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