

Citizen Initiative Act and Citizen Initiative Regulation Summary of Changes

April 2026

Summary of amendments to the ***Citizen Initiative Act*** contained in Bill 23: *Justice Statutes Amendment Act, 2026*, and Citizen Initiative Regulation amendments made by Order in Council which came into force April 23, 2026.

Terminology changes

- “Initiative petition period” (s.1(1)(g)(i)) and “initiative petition signing period” (s.1(1)(h)(i)) have been adjusted to exclude:
 - the 12-month period immediately preceding the date fixed for the next general election,
 - the period beginning with the issuance of the writs for a general election to be held on any other date and ending at the end of election day for that election, or
 - the 12-month period immediately following the election day of the most recent general election.
- Adds a definition for “scrutineer” (s.1(1)(o.1)).

Prohibition re notices of intent and termination of process

- Adds a prohibition on submitting a notice of intent within the 12-month period immediately preceding the date fixed for the next general election, within the period from the issuance of the writs for a general election to be held on a date other than the date fixed under section to the end of election day for that election; or within the 12-month period immediately following the election day of the most recent general election (s.1.11(1)).
- Terminates any notice of intent, application for issuance of an initiative petition, or an initiative petition signing period in progress during the times referred to in s.1.11(1). (s.1.11(2)).
- When an initiative petition signing period is terminated under this section, the initiative petition is deemed unsuccessful. All activity must end, all signature sheets containing original signatures must be returned to the Chief Electoral Officer (CEO), all copies must be returned to the CEO or destroyed, and the proponent must submit an affidavit the above has been done (s.1.11(3)).
- All funds received by a proponent or third party in relation to a terminated petition under this section must be dealt with according to the regulation (for proponents) or section 43 (for third party advertisers). (s.1.11(4)).

Eligibility to sign an initiative petition

- Individuals cannot sign an initiative petition that has been terminated under s.1.11 or has been withdrawn by the proponent under s.9(7). (s.4(4)).

Submitting signature sheets, threshold requirements

- The CEO must publish a notice on the Elections Alberta website when the initiative petition, signature sheets, and an affidavit that all copies of signature sheets have been destroyed have been received by a proponent (s.6(1.1)).

Effect of a general election

- Repeals section 7, now replaced by section 1.11.

Determination, time limit

- Revised to reflect changes above. (s.10(1)).

Notification of determination whether initiative petition is successful

- Adds requirement for CEO to notify proponent and Minister of Justice of the date, time, and location of determination process before it begins. (s.10(2)) and notification of any changes to these (s.10(3)).

Appointment of scrutineers

- The proponent and Minister of Justice may both, in writing, appoint one or more lawyers who are active members of The Law Society to act as a scrutineer, and are required to pay any costs of their scrutineers. (s.10.1).

Scrutineer rights and functions

- Scrutineers for the proponent and Minister of Justice may be present for the 21-day determination. (s.10.2(1)).
- Scrutineers may observe the process in a manner that does not compromise the determination process:
 - Determination of whether the canvasser witnessed the signatures and signed the statement on each signature page, as required by the CEO,
 - the signatures contain the required information, and
 - the application of the random statistical sampling method (s.10.2(1)(b)).
- Scrutineers may record, in writing, any information that in their opinion may be relevant to a judicial review. (s.10.2(1)(c)).
- Scrutineers must produce proof of their appointment before being admitted. (s.10.2(2)).
- Only one scrutineer each for the proponent and the Minister of Justice may be present at any one time (s.10.2(3)) and may perform their duties at more than one determination place (s.10.2(5)).
- The CEO may designate where a scrutineer may observe the process. (s.10.2(4)).
- No one may impede a scrutineer from performing their functions. (s.10.2(6)).
- The proponent may be required to report matters respecting a scrutineer to the CEO in accordance with the regulations. (s.10.2(7)).

Unsuccessful initiative petition

- The CEO must publish a notice on the Elections Alberta website if a petition is unsuccessful

for any reason. (s.11(1)).

Duties re policy proposal

- Removed requirement for a referendum for a policy proposal to be held before the next fixed date general election or following the next fixed date election if it is less than one year after the date on which the report recommending a referendum is tabled. (s.15(4) and (5)).

Initiative petition regulations

- Adds authority for the Lieutenant Governor in Council to make regulations respecting scrutineers, including the payment and conduct of scrutineers and reporting requirements respecting scrutineers (s.17(f.1)).

Information protection and confidentiality

- Requires scrutineers to maintain the confidentiality of all information that comes to their knowledge as a result of being a scrutineer, except in the case of a judicial review or other proceedings related to the Act (s.48(1.2)).
- Adds Information, complaints, and allegations made to the Election Commissioner to what may be disclosed under s.48(2).(s.48(2)).
- Allows for the information, complaints, and allegations made to the Election Commissioner to be disclosed for the purpose of judicial review or other proceedings related to the Act. (s.48(3)).

Retention of Records

- Requires the CEO to retain all signature sheets for a successful initiative petition for a period of two years from date of submission. (s.53.1).

Transitional

- Amendments related to scrutineers, the CEO publishing a notice a proponent has submitted required records under 6(1), notice by the CEO to proponent and the Minister of Justice of determination dates, time, and location, ability for proponent and Minister of Justice to appoint scrutineers, scrutineer rights and functions, authority for the Lieutenant Governor in Council to make regulations respecting scrutineers, and information protection and confidentiality will apply to any initiative petitions whose signature sheets are submitted to the CEO after this bill comes into force. (s.71.1(3.1)).

Citizen Initiative Regulation Amendments

Application Fee

- Revised to allow the CEO to refund a proponent's application fee if the process is terminated under s.1.11(2) of the Act and the CEO has received the prescribed reports and is satisfied they are complete. (s.2(3)).

Contributions — initiative petition

- Revised to add that no contributions may be made from the date when an initiative petition is terminated under s.1.11(2) of the Act. (s.5(3)).
- Adds requirement to report expenses for costs incurred for scrutineer remuneration and

expenses (s.5(3)).

Modification of EFCDA re prescribed reports

- Extends the period by which a proponent's chief financial officer must file their financial statement, contribution report, expense report, and any support information and documents to 60 days from 30 days (s.18).

Disposition of surplus funds

- Modified to set out that funds required for the payment of remuneration and expenses for scrutineers may be disposed of for those purposes and are not required to be held in trust at the end of the 30 day period (s.19).



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