

**Summary of Amendments to the *Election Act* contained  
in Bill 81: *Election Statutes Amendment Act***

**Terminology Changes**

- “Poll” replaced with “Vote” or “Voting”. Includes advance voting, advance voting place, mobile vote, mobile voting, mobile voting place, Statement of Vote, voting area, voting place, voting record and voting station (s. 1)
- “Polling Day” replaced with “Election Day” (s. 1)
- Expanded definitions for “Statement of Vote” and “Voting Record” have been included. These definitions provide clarification on how these forms are used (s. 1)

**Appointment and Duties of Chief Electoral Officer**

- The appointment of the Chief Electoral Officer ends after the second general election, lengthening the term of appointment. This change does not apply to the current CEO (s. 3)
- The CEO is provided with authority over the *Citizen Initiative Act* and *Recall Act* (s. 3.1, 4)
- The CEO can prescribe oaths for the purposes of the Act (s. 4)
- Where a planned advance vote cannot take place, the CEO may hold the advance vote on another day, provided it continues to be open for the same number of hours as originally scheduled (s. 4)

**Returning Officers**

- Returning Officers added to the section regarding immunity from proceedings against the CEO in the performance of their duties (s. 5.1)
- Returning Officers can be appointed to conduct a recall vote if none are appointed at the time that a vote is to be held (s. 9)

**Register of Electors / List of Electors**

- Elector email addresses can be collected and added to the register, where the elector consents to the addition. Email addresses are not shared with political participants. (s. 13)
- The elector’s full name, residential address, mailing address, citizenship and date of birth are required to add a person to the register (s. 13)
- The CEO can enter into agreements to share address, mapping, demographic or geographic information (s. 13.2)
- An elector can make a request not to have their information included in the List of Electors and have a notation added to the Register of Electors to facilitate this (s. 13.3)
- Registered political parties and candidates may receive a copy of the additions to the list in electronic or printed form after the close of revisions period (s. 18)
- Registered political parties and candidates can receive a revised list of electors in electronic form after the close of advance voting (s. 18)

**Voting Area**

- Limitation on the size of a voting area has been removed (s. 14)

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### **Enumeration**

- Requirement for mandatory door-to-door enumeration removed. Prescriptive elements of enumeration removed including sections on materials required, appointing enumerators to each polling subdivision, lists of facilities that cannot be visited, direction on what to leave at each door, requirements to visit every residence, and the requirement for 3 visits (s. 21-38)
- The Chief Electoral Officer can prescribe the conduct of an enumeration. This can include some or all of an electoral division, using any means the CEO determines sufficient (s. 21)
- The CEO or RO can appoint enumerators (s. 22)

### **Fixed Election Date**

- A general election will take place on the last Monday in May, in the fourth year after the last GE. This will make the next Election Day May 29, 2023 (s. 38.1)

### **Mandatory Identification**

- Elector's must show authorized identification to vote. The ID must establish the elector's current address (s. 43)
- Identification includes either: (s. 100)
  - One piece of government issued ID with name, address and photograph
  - Two pieces of ID authorized by the CEO, each with name and at least one with address
- Electors without ID may be vouched for by an elector in the same voting area whose name appears on the list of electors, has authorized ID, and takes a declaration (s. 43)
- The voting process has been outlined for electors with and without ID:
  - Elector found on the Voting Record and Name/Address on ID matches: Elector name struck from voting record and issued ballot (s. 100.1)
  - Elector found on Voting Record, but Address on ID does not match the Voting Record: Elector provides ID for current address and signs a declaration to be added to the Voting Record prior to being issued a ballot. (s. 100.2)
  - Elector found on Voting Record, but they do not have ID: Elector can be vouched for, in lieu of ID. A vouching declaration is completed. As the elector is listed in the Voting Record a Declaration of Elector is not required. (s. 100.3)
  - Elector not listed in the Voting Record, but has ID: Elector provides ID and takes Declaration of Elector and is added to the Voting record prior to being issued a ballot (s. 100.4)
  - Elector not listed in the Voting Record and does not have ID: Elector can be vouched for, in lieu of ID. A vouching declaration is completed. The elector must also take the Declaration of Elector and be added to the Voting Record prior to being issued a ballot (s. 100.5)

### **Election Officers**

- "Supervisory Deputy Returning Officer", "Registration Officer", "Deputy Returning Officer", "Poll Clerk", "Information Officer", and "Administrative Assistant" titles removed from the legislation (s. 1).

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- Sections pertaining to the appointment and duties of the administrative assistant (s. 47.1), deputy returning officers (s. 71 & 72), poll clerk (s. 73, 74 & 75), information officers (s. 75.1), supervisory deputy returning officers (s. 76 & 77) and registration officers (s. 77.1) have been removed.
- The CEO can outline the duties and functions of election officers. Section 45.1 moves all of the former duties identified under the titles noted above into a general list of duties. The CEO will prescribe the job titles, roles, and duties, including which election officers can perform the following:
  - Placement of signs in voting locations;
  - Managing the ballot box, including sealing it and maintaining the security of the ballot box;
  - Maintaining and issuing ballots;
  - Maintaining the voting record;
  - Administering voting and taking oaths and declarations;
  - Providing voter assistance;
  - Registering electors to vote;
  - Completing the unofficial count and preparing the statement of vote;
  - Supervising the voting place;
  - Appointing interpreters; and
  - Assisting the RO in the performance of their duties (returning office staff).
- Election officers must be trained to complete their assigned duties (s. 45.1)
- The CEO must provide all supplies to the RO's, who must then provide them to the election officers to perform their duties (s. 45.1)
- One election officer in each voting location must be designated as the supervisor (s. 45.1)

**Candidates & Scrutineers**

- Scrutineer appointments for advance voting apply per day (4 per station, with only one present at one time) (s. 78)
- Scrutineers can take one oath at a voting place, rather than at each station (s. 78)
- If a scrutineer is removed from a voting place, they cannot be appointed to another location (s. 78)
- The candidate's \$500 nomination deposit will be collected by Elections Alberta when they register under the EFCDA. It has been removed from the *Election Act*. (EFCDA, s. 9)

**Advance Voting**

- The Chief Electoral Officer can make a directive to describe alternate procedures and ballot styles for advance voting (s. 4.11)
- At least one advance voting place must be established in the electoral division that operates from Tuesday to Saturday the week preceding Election Day from 9am – 8pm (s. 98)
- Additional advance voting locations can be established in the electoral division, and in consultation with the CEO, those may operate for alternate days/times within the advance voting period. This integrates the concept of special mobile poll into advance voting – the term “special mobile poll” has been removed (s. 98)

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- The Chief Electoral Officer can identify which advance voting locations offer “vote anywhere” service. This allows remote locations to offer the local ballot only (s. 98)
- The record of electors who voted at the advance vote will no longer include the elector’s sequence number. This allows for sequence numbers to be issued after advance voting closes, which allows for additions to the list and declarations to be integrated into the Election Day voting record (s. 98)

**Special Ballot**

- Electors may apply for a Special Ballot package on or after March 1 in the year of a General Election. The package is not issued, however, until the writ is issued (s. 116)
- Applications for in-person Special Ballots can be made until the close of voting on Election Day. This includes having a designate pick up a Special Ballot on behalf of the elector (s. 116)
- Applications for a Special Ballot to be mailed to the elector close at 6pm on the day before advance voting opens (s. 116)
- Both registered political parties and candidates can receive the list of electors who applied for a Special Ballot (s. 117)
- The Special Ballot package is comprised of a ballot, ballot envelope, declaration form, and outer envelope. The certificate envelope has been removed from the package (s. 118)
- Electors voting by Special Ballot must provide a copy of their authorized ID, unless they are completing their package in-person, in which case the ID is viewed, but not retained (s. 118)

**Mobile Voting**

- A mobile vote can be held on any advance voting day or on Election Day or a combination of dates. The days and hours of the mobile vote is determined by the facility representative and the returning officer (s. 120)
- The presence of persons at a mobile voting station can be limited to the required election officers, the facility staff and an interpreter (if required). This applies to any facility eligible for a mobile voting station (s. 122)

**Voter Assistance**

- An interpreter cannot provide voter assistance in the voting booth without taking the prescribed oath (s. 78)
- A voter may request the assistance of an interpreter, a friend of voter or the election officer. The voter is not required to take an oath regarding their inability to read or mark the ballot (s. 96)
- Two election officers must be present when providing voter assistance in the voting booth or for curbside voting (s. 96)

**Declined Ballot**

- When an elector declines to vote it will not be annotated in the voting record, preserving their secrecy of the vote (s. 107.1)

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**Unofficial Count**

- The unofficial count is completed by 2 election officers working together – one to perform the count and one to perform the tally. This maintains the current process without the specific “Deputy Returning Officer” and “Poll Clerk” titles (s. 111)
- Ballots are to be counted if the voter’s intention to vote for one candidate are clear. Ballots can be rejected if: (s. 111)
  - The name of the ED and year of election is not printed on the back of the ballot
  - It contains a vote for a candidate that has withdrawn
  - It is a special ballot that does not have the required ID or signed declaration provided
  - It contains a mark or writing that identifies the voter

**Official Count**

- The official count is only completed where the difference between the votes for the two candidates with the highest number of votes is 100 or less. (s. 137)
- Where the difference is 101 votes or more, the returning officer will conduct an official verification process which includes reviewing the Statement of Vote, objected ballots, rejected ballots, and any other ballots or materials the RO requires prior to signing the Statement of Official Results. (s. 137)

**Time for Voting**

- An employee is eligible for 3 consecutive hours to vote on any of the days for voting (advance or Election Day) if their work schedule does not allow them 3 consecutive hours for voting on any of the voting days. The time provided for voting is at the discretion of the employer (s. 132)