

# Changes to the *Local Authorities Election Act (LAEA)* 2024

## Candidate and Returning Officer Eligibility Criteria

### Relevant *LAEA* sections

- *LAEA* s. 13
- *LAEA* s. 22
- *LAEA* s. 23.1

### Previous *LAEA* requirements

The *LAEA* establishes the framework for local elections in Alberta for 332 municipalities and 61 school boards. The *LAEA* governs processes and procedures for election workers, voters, and candidates during the nomination, election, and post-election periods. The *LAEA* also regulates campaign finances, third party advertising, and the chief electoral officer role in local elections.

Previously, candidate eligibility criteria in the *LAEA* and councillor disqualification criteria in the *Municipal Government Act (MGA)* did not align. This could result in a councillor being eligible to run as a candidate, but not hold office if they were elected.

Prior to the changes, individuals who were employed by the Office of the Ombudsman were permitted to be candidates without taking a leave of absence.

In 2018 the scope of the Alberta Ombudsman's office expanded to include municipal matters creating a potential conflict of interest for employees who chose to run in a local election.

The *LAEA* prohibits a candidate from being a returning officer (RO) in the jurisdiction they are running in.

### What has changed

#### Candidate eligibility changes: Criminal offences

Eligibility and disqualification criteria are now aligned between the *LAEA* and the *MGA*. The *LAEA* amendments clarify that a candidate is disqualified if, after their nomination has been accepted, the candidate is:

- convicted of an offence punishable by imprisonment for five or more years;
- convicted of an offence related to municipal corruption, influencing a municipal official, or financial abuse of an elected office (Sections 123, 124 or 125 of Canada's *Criminal Code*); or
- convicted of using or expending anonymous or unauthorized contributions (*LAEA* Section 147.23).

#### Candidate eligibility changes: Ombudsman

New candidate eligibility criteria establish that an individual who is employed by the Office of the Ombudsman is ineligible to be a candidate unless they take a leave of absence. This change will reduce the possibility of a real or perceived conflict of interest for employees of the Office of the Ombudsman who choose to run for office.

#### Candidate eligibility changes: Anonymous or unauthorized contributions

Changes also establish that a person who has filed an intent to run and begins fundraising and campaigning is not eligible to be nominated as a candidate if the person uses or expends anonymous or unauthorized contributions.

#### Returning officer eligibility changes

In addition to prohibiting a candidate from being a RO in the jurisdiction they are running in, the Act now prohibits a candidate's spouse, adult interdependent partner, child, parent, or sibling from being a RO in the jurisdiction they are running in. This change will increase public confidence in the fair and impartial conduct of the elections.

#### What municipalities need to know

For the upcoming local general elections, local jurisdictions should review and update any candidate criteria on official documentation or websites to reflect this change.

An individual cannot be appointed to be the RO of a local jurisdiction if they are a candidate's spouse, adult interdependent partner, child, parent, or sibling.

An individual who is employed by the Office of the Ombudsman who is interested in becoming a candidate must take a leave of absence.

#### Effective date

This change took effect upon proclamation of Bill 20 on October 31, 2024. This legislation will be in effect for the 2025 local general elections.

Nominations for the next general election are open between January 1, 2025, and September 20, 2025.

For summer villages, the nomination period occurs between June or July, with election day held four weeks after the nomination period closes.

## Resources

To learn more, please refer to:

- Strengthening local elections and councils:  
<https://www.alberta.ca/strengthening-local-elections-and-councils>
- Bill 20:  
[https://docs.assembly.ab.ca/LADDAR\\_files/docs/bills/bill/legislature\\_31/session\\_1/20230530\\_bill-020.pdf](https://docs.assembly.ab.ca/LADDAR_files/docs/bills/bill/legislature_31/session_1/20230530_bill-020.pdf)
- Amendment summary for Bill 20:  
<https://www.alberta.ca/system/files/ma-municipal-affairs-statutes-amendment-act-fact-sheet.pdf>
- Municipal elections – Overview:  
<https://www.alberta.ca/municipal-elections-overview>

## Contact us

**Phone:** 780-427-2225  
**Toll-free in Alberta:** 310-0000  
**Email:** [ma.advisory@gov.ab.ca](mailto:ma.advisory@gov.ab.ca)