



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Bill 43

(2007, chapter 29)

**An Act to amend various electoral
legislation with regard to the
identification of electors**

**Introduced 6 November 2007
Passed in principle 14 November 2007
Passed 4 December 2007
Assented to 4 December 2007**

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EXPLANATORY NOTES

This bill amends three electoral Acts to ensure that electors show their faces to identify themselves before they vote.

However, the bill enables electors who are unable to show their face for reasons of physical health the chief electoral officer considers valid to obtain an authorization to identify themselves without showing their face.

LEGISLATION AMENDED BY THIS BILL:

- Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2);
- Act respecting school elections (R.S.Q., chapter E-2.3);
- Election Act (R.S.Q., chapter E-3.3).

Bill 43

AN ACT TO AMEND VARIOUS ELECTORAL LEGISLATION WITH REGARD TO THE IDENTIFICATION OF ELECTORS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

1. Section 213.2 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2) is amended

(1) by inserting “show his face and” before “meet” in subparagraph 3 of the first paragraph;

(2) by adding the following paragraphs after the second paragraph:

“Despite subparagraphs 2 and 3 of the first paragraph, an elector who is unable to show his face for reasons of physical health that are considered valid by the chief electoral officer or any person designated by the chief electoral officer for that purpose may obtain an authorization allowing him to be identified without showing his face, provided he first signs the sworn statement provided for that purpose in the presence of the members of the verification panel.

The chairman of the verification panel shall give the elector the authorization described in the third paragraph.”

2. Section 215 of the Act is amended by replacing “shall produce as identification, notwithstanding any incompatible provision,” in the first and second lines of the third paragraph by “shall show his face and identify himself, notwithstanding any incompatible provision, by producing”.

ACT RESPECTING SCHOOL ELECTIONS

3. Section 112.2 of the Act respecting school elections (R.S.Q., chapter E-2.3) is amended

(1) by inserting “show his face and” before “meet” in subparagraph 3 of the first paragraph;

(2) by adding the following paragraphs after the second paragraph:

“Despite subparagraphs 2 and 3 of the first paragraph, an elector who is unable to show his face for reasons of physical health that are considered valid by the chief electoral officer or any person designated by the chief electoral officer for that purpose may obtain an authorization allowing him to be identified without showing his face, provided he first signs the sworn statement provided for that purpose in the presence of the members of the verification panel.

The chairman of the verification panel shall give the elector the authorization described in the third paragraph.”

4. Section 114 of the Act is amended by replacing “shall produce as identification, notwithstanding any incompatible provision,” in the first and second lines of the second paragraph by “shall show his face and identify himself, notwithstanding any incompatible provision, by producing”.

ELECTION ACT

5. Section 335.2 of the Election Act (R.S.Q., chapter E-3.3) is amended

(1) by inserting “show his face and” before “meet” in subparagraph 3 of the first paragraph;

(2) by adding the following paragraphs after the second paragraph:

“Despite subparagraphs 2 and 3 of the first paragraph, an elector who is unable to show his face for reasons of physical health that are considered valid by the chief electoral officer or any person designated by the chief electoral officer for that purpose may obtain an authorization allowing him to be identified without showing his face, provided he first signs the sworn statement provided for that purpose in the presence of the members of the verification panel.

The chairman of the verification panel shall give the elector the authorization described in the third paragraph.”

6. Section 337 of the Act is amended by replacing “shall produce as identification, notwithstanding any incompatible provision,” in the first and second lines of the second paragraph by “shall show his face and identify himself, notwithstanding any incompatible provision, by producing”.

7. This Act comes into force on 4 December 2007.