

Recall Act

Overview

What would this legislation do?

The Alberta government is introducing recall legislation to allow Albertans to initiate a process that could lead to the removing and replacing elected officials, including MLAs, municipal officials and school board officials. If passed, this legislation will strengthen democracy by allowing Albertans to hold elected officials accountable throughout their term, not just during elections.

Process for recalling an elected official

MLAs

Eighteen months after an election and until six months before the next general election, an eligible Alberta voter can begin the process to have an MLA recalled. If they feel the MLA in their constituency is not upholding their responsibilities, an Albertan can apply to the Chief Electoral Officer for a petition to recall that elected official.

If the application is complete and meets the requirements of the act, the Chief Electoral Officer will issue the petition to be used to collect signatures. The Albertan would then have 60 days to gather signatures from 40 per cent of eligible voters in that constituency. The applicant can have volunteers called canvassers, who must also be residents of that constituency, to assist them in gathering the signatures.

Once the signatures are gathered, they would be submitted to the Chief Electoral Officer, who would ensure the signatures are valid, and the petition has reached the threshold of 40 per cent.

If the recall petition is successful, a recall vote would be held to determine if the elected official should be recalled. If the recall vote is successful, by a simple majority, the official ceases to hold office and a by-election would be held.

Municipal Officials

If an Albertan feels an elected official is not upholding their responsibilities, they can notify the Chief Administrative Officer in their municipality of their intent to start a recall petition. If they are eligible to vote in the election for the official and meet the other requirements in the legislation, the Chief Administrative Officer would publish a notice of the petition on the municipality's website, and the petitioner would then have 60 days from the date the petition is published on the website to gather signatures from eligible voters that represent 40 per cent of the population of the municipality or ward. If the petition is successful, at the next municipal council meeting, the Chief Administrative Officer would make a declaration of the successful recall petition, and the official would be removed.

School Board Officials

For school board officials, if an Albertan feels an elected official in their school division is not upholding their responsibilities, they can apply to the secretary of the school board. The petitioner would then have 120 days to gather signatures from eligible voters that represent 40 per cent of the eligible voters in that school district. If the recall petition is successful, the official is removed.

The applicant would be responsible for all costs associated with gathering the required number of signatures, however they can accept contributions toward their petition. There will be limits on how much Albertans and third-parties, like political action committees, can spend on promoting or arguing against the petition to recall an MLA, and guidelines on how the donated money must be spent. These limits will be included in the regulations.

Additional information

The Select Special Democratic Accountability Committee held public meetings and accepted written submissions on potential recall legislation in fall 2020. The all-party committee tabled their [final report](#) on Nov. 16, 2020.

If passed, the act will come into force upon proclamation.