

LEGISLATIVE REVIEW SUMMARY

FALL 2019 | 30TH LEGISLATURE, FIRST SESSION



Alberta **LAW**
FOUNDATION



THE CANADIAN
BAR ASSOCIATION
Alberta Branch

LEGISLATIVE REVIEW SUMMARY

FALL 2019 | 30TH LEGISLATURE, FIRST SESSION

HIGHLIGHTS

The 2019 fall session of the Legislature resulted in the passage of the following Acts:

1. *Alberta Indigenous Opportunities Corporation Act*, SA 2019, c.A-26.3
2. *Appropriation Act*, SA 2019, c.7
3. *Disclosure to Protect Against Domestic Violence (Clare's Law) Act*, SA 2019, c.D-13.5
4. *Electricity Statutes (Capacity Market Termination) Amendment Act*, SA 2019, c.11
5. *Ensuring Fiscal Sustainability Act*, SA 2019, c.18
6. *Farm Freedom and Safety Act*, SA 2019, c.19
7. *Fiscal Measures and Taxation Act*, SA 2019, c.20
8. *Justice Statutes Amendment Act*, SA 2019, c.14
9. *Municipal Government (Machinery and Equipment Tax Incentives) Amendment Act*, SA 2019, c.21
10. *Opioid Damages and Health Care Costs Recovery Act*, SA 2019, c.O-8.5
11. *Public Lands Modernization (Grazing Leases and Obsolete Provisions) Amendment Act*, SA 2019, c.12
12. *Real Estate Amendment Act*, SA 2019, c.13
13. *Red Tape Reduction Implementation Act*, SA 2019, c.22
14. *Reform Agencies, Boards and Commissions and Government Enterprises Act*, SA 2019, c.15
15. *Technology Innovation and Emissions Reduction Implementation Act*, SA 2019, c.16
16. *Trespass Statutes (Protecting Law-abiding Property Owners) Amendment Act*, SA 2019, c.23

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AMENDED LEGISLATION:

- *Agricultural Operation Practices Act*, RSA 2000, c.A-7
- *Alberta Corporate Tax Act*, RSA 2000, c.A-15
- *Alberta Health Care Insurance Act*, RSA 2000, c.A-20
- *Alberta Heritage Savings Trust Fund Act*, RSA 2000, c.A-23
- *Alberta Heritage Scholarship Act*, RSA 2000, c.A-24
- *Alberta Housing Act*, RSA 2000, c.A-25
- *Alberta Investment Management Corporation Act*, SA 2007, c.A-26.5
- *Alberta Personal Income Tax Act*, RSA 2000, c.A-30
- *Alberta Utilities Commission Act*, SA 2007, c.A-37.2
- *An Act to Cap Regulated Electricity Rates*, RSA 2017, c.C-2.3
- *An Act to Strengthen Municipal Government*, SA 2017, c.13
- *Assured Income for the Severely Handicapped Act*, SA 2006, c.A-45.1
- *ATB Financial Act*, RSA 2000, c.A-45.2
- *Auditor General Act*, RSA 2000, c.A-46
- *Climate Change and Emissions Management Act*, SA 2003, c.C-16.7
- *Conflicts of Interest Act*, RSA 2000, c.C-23
- *Court of Appeal Act*, RSA 2000, c.C-30

- *Court of Queen's Bench Act*, RSA 2000, c.C-31
- *Education Act*, SA 2012, c.E-0.3
- *Election Act*, RSA 2000, c.E-1
- *Election Finances and Contributions Disclosure Act*, RSA 2000, c.E-2
- *Electric Utilities Act*, SA 2003, c.E-5.1
- *Electronic Transactions Act*, SA 2001, c.E-5.5
- *Emergency Health Services Act*, SA 2008, c.E-6.6
- *Employment Pension Plans Act*, SA 2012, c.E-8.1
- *Employment Standards Code*, RSA 2000, c.E-9
- *Environmental Protection and Enhancement Act*, RSA 2000, c.E-12
- *Financial Administration Act*, RSA 2000, c.F-12
- *Fiscal Planning and Transparency Act*, SA 2015, c.F-14.7
- *Forests Act*, RSA 2000, c.F-22
- *Freedom of Information and Protection of Privacy Act*, RSA 2000, c.F-25
- *Gaming, Liquor and Cannabis Act*, RSA 2000, c.G-1
- *Glenbow-Alberta Institute Act*, RSA 2000, c.G-6
- *Government Organization Act*, RSA 2000, c.G-10
- *Health Professions Act*, RSA 2000, c.H-7
- *Historical Resources Act*, RSA 2000, c.H-9
- *Human Tissue and Organ Donation Act*, SA 2006, c.H-14.5
- *Hydro and Electric Energy Act*, RSA 2000, c.H-16
- *Income and Employment Supports Act*, SA 2003, c.I-0.5
- *Interactive Digital Media Tax Credit Act*, RSA 2018, c.I-3.1
- *Investing in a Diversified Alberta Economy Act*, SA 2016, c.I-10.5
- *Joint Governance of Public Sector Pension Plans Act*, SA 2018, c.J-0.5
- *Labour Relations Code*, RSA 2000, c.L-1
- *Limitations Act*, RSA 2000, c.L-12
- *Local Authorities Election Act*, RSA 2000, c.L-21
- *Local Government Fiscal Framework Act*, SA 2019, c.L-21.5
- *Mental Health Act*, RSA 2000, c.M-13
- *M.S.I. Foundation Act*, RSA 2000, c.M-24
- *Municipal Government Act*, RSA 2000, c.M-26
- *Northern Alberta Development Council Act*, RSA 2000, c.N-4
- *Occupiers' Liability Act*, RSA 2000, c.O-4
- *Oil Sands Emissions Limit Act*, SA 2016, c.O-7.5
- *Personal Information Protection Act*, SA 2003, c.P-6.5
- *Petty Trespass Act*, RSA 2000, c.P-11
- *Pharmacy and Drug Act*, RSA 2000, c.P-13
- *Police Act*, RSA 2000, c.P-17
- *Post-secondary Learning Act*, SA 2003, c.P-19.5
- *Protection for Persons in Care Act*, SA 2009, c.P-29.1
- *Provincial Court Act*, RSA 2000, c.P-31
- *Provincial Offences Procedure Act*, RSA 2000, c.P-34
- *Public Health Act*, RSA 2000, c.P-37
- *Public Inquiries Act*, RSA 2000, c.P-39
- *Public Interest Disclosure (Whistleblower Protection) Act*, SA 2012, c.P-39.5
- *Public Lands Act*, RSA 2000, c.P-40
- *Public Sector Compensation Transparency Act*, SA 2015, c.P-40.5
- *Public Service Act*, RSA 2000, c.42

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- *Public Service Employee Relations Act*, RSA 2000, c.P-43
- *Real Estate Act*, RSA 2000, c.R-5
- *Reform of Agencies, Boards and Commissions Compensation Act*, SA 2016, c.R-8.5
- *Renewable Electricity Act*, SA 2016, c.R-16.5
- *Safety Codes Act*, RSA 2000, c.S-1
- *Security Services and Investigators Act*, SA 2008, c.S-4.7
- *Seniors Benefit Act*, RSA 2000, c.S-7
- *Student Financial Assistance Act*, SA 2002, c.S-20.5
- *Teachers' Pension Plans Act*, RSA 2000, c.T-1
- *Tobacco Tax Act*, RSA 2000, c.T-4
- *Travel Alberta Act*, SA 2008, c.T-6.5
- *Trespass to Premises Act*, RSA 2000, c.T-7
- *Workers' Compensation Act*, RSA 2000, c.W-15

REPEALED LEGISLATION:

- *Access to the Future Act*, SA 2005, c.A-1.5
- *Alberta Cancer Prevention Legacy Act*, SA 2006, c.A-14.2
- *Alberta Capital Finance Authority Act*, RSA 2000, c.A-14.5
- *Alberta Competitiveness Act*, SA 2010, c.A-14.9
- *Alberta Sport Connection Act*, RSA 2000, c.A-34
- *City Charters Fiscal Framework Act*, SA 2018, c.C-13.3
- *Persons with Developmental Disabilities Foundation Act*, RSA 2000, c.P-9
- *Small Power Research and Development Act*, RSA 2000, c.S-9
- *Social Care Facilities Review Committee Act*, RSA 2000, c.S-11

DETAILED LISTING OF BILLS

Bill 14 - Alberta Indigenous Opportunities Corporation Act

Summary: The *Alberta Indigenous Opportunities Corporation Act* created a crown corporation called the Alberta Indigenous Opportunities Corporation (the "AIOC"). AIOC's mandate is "to facilitate investment by indigenous groups in natural resources projects and related infrastructure..."

Under the Act, the following Indigenous groups are eligible to apply to the AIOC:

- Indian bands as defined by the Indian Act (Canada);
- Métis settlements established by the Métis Settlements Act;
- Métis groups as defined by the regulations;
- other entities that are approved by the Minister or identified by regulation, by the Lieutenant Governor in Council; and
- wholly-owned entities of the foregoing groups.

Pursuant to the Act, the Lieutenant Governor in Council may appoint up to 9 members to a board of directors established under the Act.

Subject to regulations and the approval of the Lieutenant Governor in Council, AIOC may provide the following to eligible Indigenous groups:

- grants or contributions;

- loans, or acquiring existing loans;
- loan guarantees;
- purchasing shares or other forms of equity; and
- entering into joint ventures or partnerships.

The Lieutenant Governor in Council must approve particular projects or a class of transactions and may be subject to specific or general conditions.

In Force: On proclamation.

Bill 15 - Real Estate Amendment Act

Amended: • *Real Estate Act*, RSA 200, c.R-5

Summary: The *Real Estate Amendment Act*:

- dismisses the then members Real Estate Council of Alberta (“RECA”);
- enables the Minister to appoint one or more official administrators for a renewable term up to one year each term. The official administrator will have the powers, duties and functions of RECA and may appoint a 3 (or more) member Hearing Panel or Appeal Panel; and
- enables the Minister to establish rules or procedures to appoint a new RECA.

In Force: October 30, 2019

Bill 16 - Public Lands Modernization (Grazing Leases and Obsolete Provisions) Amendment Act

Amended: • *Public Lands Act*, RSA 2000, c.P-40

Summary: The *Public Lands Modernization (Grazing Leases and Obsolete Provisions) Amendment Act* amends the *Public Lands Act* by deleting the prior provisions regarding rental rates for grazing leases. The Act also repeals homestead sales and leases. It is recommended that practitioners review the *Public Lands Act* in its entirety to ascertain its implications on their practice.

In Force: January 1, 2020

Bill 17 - Disclosure to Protect Against Domestic Violence (Clare’s Law) Act

Summary: The *Disclosure to Protect Against Domestic Violence (Clare’s Law) Act* allows the police to disclose information to applicants who apply for disclosure which include “history of domestic violence” and “criminal and police records” of other persons if such persons believe they are at risk of domestic violence. Such persons may also authorize others to apply on their behalves. The Act authorizes police services and the Minister to collect, use or disclose personal information for the purposes of assessing risk and disclosure.

In Force: On proclamation

Bill 18 - Electricity Statutes (Capacity Market Termination) Amendment Act

Amended: • *Alberta Utilities Commission Act*, SA 2007, c A-37.2
 • *Electric Utilities Act*, SA 2003, c E-5.1
 • *Hydro and Electric Energy Act*, RSA 2000, c H-16

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Summary: The *Electricity Statutes (Capacity Market Termination) Amendment Act*, 2019 amends three legislations which govern the electricity system in Alberta: the *Alberta Utilities Commission Act*, the *Electric Utilities Act*, and the *Hydro and Electric Energy Act*. Most of the amendments made housekeeping changes as a result of the repeal of the hitherto planned capacity market and the mandates associated with the capacity markets.

In Force: October 30, 2019

Bill 19 - Technology Innovation and Emissions Reduction Implementation Act

Amended:

- *Climate Change and Emissions Management Act*, SA 2003, c.C-16.7
- *Local Government Fiscal Framework Act*, SA 2019, c.L-21.5
- *Oil Sands Emissions Limit Act*, SA 2016, c.O-7.5
- *Renewable Electricity Act*, SA 2016, c.R-16.5

Summary: The *Technology Innovation and Emissions Reduction Implementation Act*, renames the *Climate Change and Emissions Management Act* which will now be known as the *Emissions Management and Climate Resilience Act*. The Act continues the Climate Change and Emissions Management Fund as the Technology Innovation and Emissions Reduction Fund. The Minister is authorized to transfer money from the Technology Innovation and Emissions Reduction Fund to the General Revenue Fund.

In Force: January 1, 2020, with exceptions

Bill 20 - Fiscal Measures and Taxation Act

Amended:

- *Alberta Personal Income Tax Act*, RSA 2000, c.A-30
- *Alberta Corporate Tax Act*, RSA 2000, c.A-15
- *Alberta Heritage Savings Trust Fund Act*, RSA 2000, c.A-23
- *Alberta Heritage Scholarship Act*, RSA 2000, c.A-24
- *Environmental Protection and Enhancement Act*, RSA 2000, c.E-12
- *Gaming, Liquor and Cannabis Act*, RSA 2000, c.G-1
- *Interactive Digital Media Tax Credit Act*, RSA 2018, c.I-3.1
- *Investing in a Diversified Alberta Economy Act*, SA 2016, c.I-10.5
- *Municipal Government Act*, RSA 2000, c.M-26
- *Post-secondary Learning Act*, SA 2003, c.P-19.5
- *Tobacco Tax Act*, RSA 2000, c.T-4

Repealed:

- *Access to the Future Act*, SA 2005, c.A-1.5
- *Alberta Cancer Prevention Legacy Act*, SA 2006, c.A-14.2
- *City Charters Fiscal Framework Act*, SA 2018, c.C-13.3

Summary: The *Fiscal Measures and Taxation Act* makes a number of tax-related changes. The Act pauses indexation of the personal income tax system, eliminates specific tax credits, restructures some tax-funded services and closes some regulated funds. It is recommended that practitioners review the amended legislation in their entirety to ascertain the implications on their practices.

In Force: Various

Bill 21 - Ensuring Fiscal Sustainability Act

- Amended:**
- *Alberta Health Care Insurance Act*, RSA 2000, c.A-20
 - *Alberta Housing Act*, RSA 2000, c.A-25
 - *Alberta Utilities Commission Act*, SA 2007, c.A-37.2
 - *An Act to Cap Regulated Electricity Rates*, RSA 2017, c.C-2.3
 - *Assured Income for the Severely Handicapped Act*, SA 2006, c.A-45.1
 - *Employment Standards Code*, RSA 2000, c.E-9
 - *Financial Administration Act*, RSA 2000, c.F-12
 - *Fiscal Planning and Transparency Act*, SA 2015, c.F-14.7
 - *Income and Employment Supports Act*, SA 2003, c.I-0.5
 - *Labour Relations Code*, RSA 2000, c.L-1
 - *Police Act*, RSA 2000, c.P-17
 - *Post-secondary Learning Act*, SA 2003, c.P-19.5
 - *Provincial Offences Procedure Act*, RSA 2000, c.P-34
 - *Public Service Act*, RSA 2000, c.P-42
 - *Public Service Employee Relations Act*, RSA 2000, c.P-43
 - *Seniors Benefit Act*, RSA 2000, c.S-7
 - *Student Financial Assistance Act*, SA 2002, c.S-20.5

Summary: The *Ensuring Fiscal Sustainability Act* addresses public sector compensation.

It is recommended that practitioners review the amended legislation in their entirety to ascertain the implications on their practices. Among other things, the Act amends:

- the *Public Service Act*, especially the limits on reasonable notice of termination and severance pay for non-bargaining unit employees.
- the reporting requirements under the *Fiscal Planning and Transparency Act* so that there is specific reporting on expense and capital plan components as well as a comparison of the expense and capital plan and the economic outlook of the current fiscal year
- the *Financial Administration Act* so that the Treasury Board and Finance is allowed to delegate some of its functions to any person. The Act creates a transferable supply vote for contingencies, emergencies and unanticipated costs in the public interest. Such transfers from the supply vote must be explained in an order in council.
- the *Labour Relations Act* so that an employer may elect to use services of designated essential workers or replacement workers within a reasonable time after the parties are required to begin negotiations for an essential services agreement.
- the *Alberta Health Care Insurance Act* by authorizing the Minister of Health to place conditions on obtaining a practitioner identification number.
- the *Police Act*, especially costing model for policing municipalities.
- the *Post-secondary Learning Act* by removing the tuition and apprenticeship instructional fee cap for three academic years.

In Force: Various

Bill 22 - Reform of Agencies, Boards and Commissions and Government Enterprises Act

- Amended:**
- *Alberta Capital Finance Authority Act*, RSA 2000, c.A-14.5
 - *Alberta Investment Management Corporation Act*, SA 2007, c.A-26.5
 - *ATB Financial Act*, RSA 2000, c.A-45.2
 - *Auditor General Act*, RSA 2000, c.A-46
 - *Conflicts of Interest Act*, RSA 2000, c.C-23
 - *Election Act*, RSA 2000, c.E-1
 - *Election Finances and Contributions Disclosure Act*, RSA 2000, c.E-2
 - *Electronic Transactions Act*, SA 2001, c.E-5.5
 - *Employment Pension Plans Act*, SA 2012, c.E-8.1

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- *Financial Administration Act*, RSA 2000, c.F-12
- *Freedom of Information and Protection of Privacy Act*, RSA 2000, c.F-25
- *Health Professions Act*, RSA 2000, c.H-7
- *Historical Resources Act*, RSA 2000, c.H-9
- *Joint Governance of Public Sector Pension Plans Act*, SA 2018, c.J-0.5
- *Local Authorities Election Act*, RSA 2000, c.L-21
- *Mental Health Act*, RSA 2000, c.M-13
- *Northern Alberta Development Council Act*, RSA 2000, c.N-4
- *Personal Information Protection Act*, SA 2003, c.P-6.5
- *Pharmacy and Drug Act*, RSA 2000, c.P-13
- *Post-Secondary Learning Act*, SA 2003, c.P-19.5
- *Protection for Persons in Care Act*, SA 2009, c.P-29.1
- *Public Inquiries Act*, RSA 2000, c.P-39
- *Public Interest Disclosure (Whistleblower Protection) Act*, SA 2012, c.P-39.5
- *Public Sector Compensation Transparency Act*, SA 2015, c.P-40.5
- *Public Service Act*, RSA 2000, c.P-42
- *Public Service Employee Relations Act*, RSA 2000, c.P-43
- *Reform of Agencies, Boards and Commissions Compensation Act*, SA 2016, c.R-8.5
- *Security Services and Investigators Act*, SA 2008, c.S-4.7
- *Teachers' Pension Plans Act*, RSA 2000, c.T-1
- *Travel Alberta Act*, SA 2008, c.T-6.5
- *Workers' Compensation Act*, RSA 2000, c.W-15

- Repealed:**
- *Alberta Capital Finance Authority Act*, RSA 2000, c.A-14.5
 - *Alberta Competitiveness Act*, SA 2010, c.A-14.9
 - *Alberta Sport Connection Act*, RSA 2000, c.A-34
 - *Social Care Facilities Review Committee Act*, RSA 2000, c.S-11

Summary: The *Reform of Agencies, Boards and Commissions and Government Enterprises Act* eliminates or restructures multiple boards and commissions and affects multiple legislation.

Amongst other things, the Act

- abolished the office of the Election Commissioner. The Act also amends the *Local Authorities Election Act* to replace the Election Commissioner with the Chief Electoral Officer.
- allows political parties to merge.
- transfers investment management of the Alberta Teachers' Retirement Fund and investments held by Alberta Health Services and the Workers' Compensation Board to the Alberta Investment Management Corporation (AIMCo).
- dissolves the Alberta Historical Resources Foundation and Historic Resources Fund.
- changes the composition of the Mental Health Review Panel.

In Force: On proclamation

Bill 23 - *Justice Statutes Amendment Act*

- Amended:**
- *Court of Appeal Act*, RSA 2000, c.C-30
 - *Court of Queen's Bench Act*, RSA 2000, c.C-31
 - *Provincial Court Act*, RSA 2000, c.P-31

Summary: The *Justice Statutes Amendment Act* amends three statutes: the *Court of Appeal Act*, the *Court of Queen's Bench Act*, and the *Provincial Court Act*. Among other amendments, the Act reduces the age of eligibility from age 60 to age 55 for masters in chambers of the Court of Queen's Bench to be appointed as part time masters and for provincial judges to be appointed as part-time judges. The Act allows justices

of the Court of Queen's Bench and the Court of Appeal to access federal funds to attend meetings related to the administration of justice without being limited to an annual \$500 per-judge amount.

In Force: November 22, 2019

Bill 24 - Appropriation Act

Summary: The *Appropriation Act* allows the Alberta Government to pay certain charges of the Legislative Assembly of Alberta and of the Public Service (not otherwise provided for) for the fiscal year ending March 31, 2020.

In Force: November 26, 2019

Bill 25 - Red Tape Reduction Implementation Act

Amended:

- *Alberta Health Care Insurance Act*, RSA 2000, c.A-20
- *An Act to Strengthen Municipal Government*, SA 2017, c.13
- *Education Act*, SA 2012, c.E-0.3
- *Forests Act*, RSA 2000, c.F-22
- *Glenbow-Alberta Institute Act*, RSA 2000, c.G-6
- *Government Organization Act*, RSA 2000, c.G-10
- *Health Professions Act*, RSA 2000, c.H-7
- *Human Tissue and Organ Donation Act*, SA 2006, c.H-14.5
- *Hydro and Electric Energy Act*, RSA 2000, c.H-16
- *M.S.I. Foundation Act*, RSA 2000, c.M-24
- *Municipal Government Act*, RSA 2000, c.M-26
- *Safety Codes Act*, RSA 2000, c.S-1

Repealed:

- *Small Power Research and Development Act*, RSA 2000, c.S-9
- *Persons with Developmental Disabilities Foundation Act*, RSA 2000, c.P-9

Summary: The *Red Tape Reduction Implementation Act* changes and/or repeals several legislation such as the *Small Power Research and Development Act*, the *Persons with Developmental Disabilities Foundation Act*, and the *Alberta Health Care Insurance Act*.

The Act

- addressed processes for forest management agreements and regulatory approvals for small-scale hydroelectric projects.
- allows for approval for forestry management agreements by ministerial order.
- dissolved the Health Professions Advisory Board.
- mandates the approval of the construction and operation of hydro developments by order of the Alberta Utilities Commission.
- allows the Glenbow Institute to transfer responsibility for curating loaned collection assets to another organization.
- repeals the provision of the *Safety Codes Act* which allowed wood construction of a building that is 6 storeys or less.
- allows people to digitally consent to organ donation.

In Force: July 18, 2019

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Bill 26 - Farm Freedom and Safety Act

- Amended:**
- *Agricultural Operation Practices Act*, RSA 2000, c.A-7
 - *Employment Standards Code*, RSA 2000, c.E-9
 - *Labour Relations Code*, RSA 2000, c.L-1

Summary: The *Farm Freedom and Safety Act* amends the *Agricultural Operation Practices Act*, the *Workers' Compensation Act*, the *Labour Relations Code* and the *Employment Standards Code*. As a result of those amendments, bigger farms and ranches with 5 or more employees must obtain private insurance or *Workers' Compensation Act* coverage which must include coverage for death, dismemberment and disability.

Smaller farms and ranches which have five or fewer employees (excluding family members or employees who have worked for less than six months) as exempt from all mandatory Employment Standards rules and workplace insurance requirement.

The Minister may initiate a review of the compliance of any farmer or rancher with the mandatory coverage requirements. The initiation of the review may be based on a written request by a person or the Minister.

In Force: Various

Bill 27 - Trespass Statutes (Protecting Law-abiding Property Owners) Amendment Act

- Amended:**
- *Limitations Act*, RSA 2000, c.L-12
 - *Occupiers' Liability Act*, RSA 2000, c.O-4
 - *Petty Trespass Act*, RSA 2000, c.P-11
 - *Provincial Offences Procedure Act*, RSA 2000, c.P-34
 - *Trespass to Premises Act*, RSA 2000, c.T-7

Summary: The *Trespass Statutes (Protecting Law-abiding Property Owners) Amendment Act* amends the *Occupiers' Liability Act* such that an occupier is only liable to a trespasser if the occupier's conduct was willful and grossly disproportionate in the circumstances and if the conduct results in the conviction of the occupier of an offence under the *Criminal Code* (Canada).

In addition, the Act

- increased the maximum fine for trespass without notice for the first offence from \$2,000 to \$10,000, and for subsequent offences from \$5,000 to \$25,000.
- created a maximum fine of up to \$200,000 for corporations.
- amended the *Petty Trespass Act* and the *Trespass to Premises Act* to deal with entry under false pretenses.
- increased the maximum compensation for loss of or damage to property of a person under the *Provincial Offences Procedure Act* from \$25,000 to \$100,000;
- amended the *Limitations Act* to suspend the limitation period for a civil action pending the determination of possible criminal conduct on the part of the property owner. The Act makes this provision retroactive to January 1, 2018.

In Force: December 5, 2019

Bill 28 - Opioid Damages and Health Care Costs Recovery Act

- Amended:**
- Alberta Health Care Insurance Act, RSA 2000, c.A-20
 - Emergency Health Services Act, SA 2008, c.E-6.6
 - Mental Health Act, RSA 2000, c.M-13
 - Public Health Act, RSA 2000, c.P-37

Summary: The *Opioid Damages and Health Care Costs Recovery Act* allows Alberta to recover health care costs and other damages against a manufacturer or wholesaler of opioid products. If the Province is able to prove on a balance of probabilities that an opioid manufacturer or wholesaler breached a common law / statutory duty of obligation to insured persons including deceased persons; that using the product can cause or contribute to disease, injury or illness; and that the product was offered for distribution or sale in Alberta, an action lies by the Crown in its own right as opposed to a subrogated claim. Liability of two or more defendants may be joint and several. Directors and officers may also be jointly and severally liable with the defendant corporation if they directed, authorized, assented to, acquiesces in or participates in an opioid-related wrong committed by the defendant corporation.

The Act extends the limitation period as actions by the Province are only statute barred after 15 years.

In Force: December 5, 2019

Bill 29 - Municipal Government (Machinery and Equipment Tax Incentives) Amendment Act

- Amended:**
- Municipal Government Act, RSA 2000, c.M-26

Summary: The *Municipal Government (Machinery and Equipment Tax Incentives) Amendment Act* allows municipalities to provide property tax incentives for machinery and equipment.

In Force: December 5, 2019

The Canadian Bar Association - Alberta Branch Legislative Review Committee is partially funded by the Alberta Law Foundation. It has subcommittees in both Edmonton and Calgary and has filled a role in the legislative review process in Alberta for over 30 years. The Committee reviews all bills introduced in the Alberta Legislature and provides comments and assistance to both Government and the Bar on drafting and operative aspects of legislation and amending legislation. The Committee is often called upon confidentially to give legal practitioners' input on draft legislation and regulations. It played significant roles in the shaping of the Personal Property Security Act, the Civil Enforcement Act, the Builders' Lien Act and other Alberta statutes. Its chairperson sits as a member of various stakeholder committees consulted by Government, including the Registry Liaison Committee, which have helped shape statute law.

The Committee draws upon practitioners with a wide range of practical experience, some of whom have served for many years. It also, through its Legislative Liaison Officer, facilitates input by CBA sections, the Law Society, and business and community groups on the policy of legislation.

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