



LEGISLATIVE REVIEW SUMMARY

A publication of the Canadian Bar
Association — Alberta Branch



FALL 2024

31ST LEGISLATURE, FIRST SESSION

LEGISLATIVE REVIEW SUMMARY

Fall 2024 | 31st Legislature, First Session

Highlights

The 2024 fall session of the Legislature resulted in the passage of the following Acts:

1. *Alberta Bill of Rights Amendment Act*, SA 2024 c12
2. *Early Learning and Child Care Amendment Act*, SA 2024 c13
3. *Health Statutes Amendment Act (No. 2)*, SA 2024 c16
4. *Education Amendment Act*, SA 2024 c14
5. *Meat Inspection Amendment Act*, SA 2024 c18
6. *Fairness and Safety in Sport Act*, SA 2024 cF-2.5
7. *Service Alberta Statutes Amendment Act*, SA 2024 c20
8. *Justice Statutes Amendment Act*, SA 2024 c17
9. *Financial Statutes Amendment Act (No. 2)*, SA 2024 c15
10. *Protection of Privacy Act*, SA 2024 cP-28.5
11. *Access to Information Act*, SA 2024 cA-1.4
12. *All-Season Resorts Act*, SA 2024 cA-38.5
13. *Miscellaneous Statutes Amendment Act*, SA 2024 c19

Amended Legislation

- *Alberta Bill of Rights*, RSA 2000, c A-14
- *Alberta Evidence Act*, RSA 2000, c A-18
- *Alberta Health Act*, SA 2010, c A-19.5
- *Alberta Housing Act*, RSA 2000, c A-25
- *Alberta Land Stewardship Act*, SA 2009, c A-26.8
- *Alberta Personal Income Tax Act*, RSA 2000, c A-30
- *An Act to End Predatory Lending*, SA 2016, c E-9.5
- *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
- *Condominium Property Act*, RSA 2000, c C-22
- *Conflicts of Interest Act*, RSA 2000, c C-23
- *Consumer Protection Act*, RSA 2000, c C-26.3
- *Credit Union Act*, RSA 2000, c C-32
- *Critical Infrastructure Defence Act*, SA 2020, c C-32.7
- *Early Learning and Child Care Act*, SA 2007, c E-0.1
- *Education Act*, SA 2012, c E-0.3
- *Electoral Boundaries Commission Act*, RSA 2000, c E-3
- *Employment Standards Code*, RSA 2000, c E-9
- *Environmental Protection and Enhancement Act*, RSA 2000, c E-12
- *Expropriation Act*, RSA 2000, c E-13
- *Fair Registration Practices Act*, SA 2019, c F-1.5
- *Financial Administration Act*, RSA 2000, c F-12
- *Freedom of Information and Protection of Privacy Act*, RSA 2000, c F-25

- *Fuel Tax Act*, SA 2006, c F-28.1
- *Gaming, Liquor and Cannabis Act*, RSA 2000, c G-1
- *Government Organization Act*, RSA 2000, c G-10
- *Guarantees Acknowledgment Act*, RSA 2000, c G-11
- *Health Facilities Act*, RSA 2000, c H-2.7
- *Health Information Act*, RSA 2000, c H-5
- *Health Professions Act*, RSA 2000, c H-7
- *Health Quality Council of Alberta Act*, SA 2011, c H-7.2
- *Health Statutes Amendment Act 2020 (No. 2)*, SA 2020, c 35
- *Hospitals Act*, RSA 2000, c H-12
- *Human Tissue and Organ Donation Act*, SA 2006, c H-14.5
- *Income and Employment Supports Act*, SA 2003, c I-0.5
- *Insurance Act*, RSA 2000, c I-3
- *Labour Mobility Act*, SA 2021, c L-0.7
- *Labour Relations Code*, RSA 2000, c L-1
- *Land Titles Act*, RSA 2000, c L-4
- *Local Authorities Capital Financing Act*, SA 2019, c L-20.8
- *Meat Inspection Act*, RSA 2000, c M-9
- *Mental Health Act*, RSA 2000, c M-13
- *Municipal Affairs Statutes Amendment Act 2024*, SA 2024, c 11
- *Municipal Government Act*, RSA 2000, c M-26
- *Natural Resources Conservation Board Act*, RSA 2000, c N-3
- *Ombudsman Act*, RSA 2000, c O-8
- *Personal Directives Act*, RSA 2000, c P-6
- *Pharmacy and Drug Act*, RSA 2000, c P-13
- *Post-Secondary Learning Act*, SA 2003, c P-19.5
- *Powers of Attorney Act*, RSA 2000, c P-20
- *Proceedings Against the Crown Act*, RSA 2000, c P-25
- *Prompt Payment and Construction Lien Act*, RSA 2000, c P-26.4
- *Provincial Priorities Act*, SA 2024, c P-35.5
- *Public Health Act*, RSA 2000, c P-37
- *Public Inquiries Act*, RSA 2000, c P-39
- *Public Lands Act*, RSA 2000, c P-40
- *Public Sector Employers Act*, SA 2019, c P-40.7
- *Public Works Act*, RSA 2000, c P-46
- *Public's Right to Know Act*, SA 2022, c P-47
- *Red Tape Reduction Act*, SA 2019, c R-8.2
- *Red Tape Reduction Statutes Amendment Act 2024*, SA 2024, c 7
- *Seniors Benefit Act*, RSA 2000, c S-7
- *Teaching Profession Act*, RSA 2000, c T-2
- *Water Act*, RSA 2000, c W-3
- *Wills and Succession Act*, SA 2010, c W-12.2

Detailed Listing of Bills

BILL 24 — *Alberta Bill of Rights Amendment Act, SA 2024 c12*

- Amended:**
- *Alberta Bill of Rights, RSA 2000, c A-14*
 - *Expropriation Act, RSA 2000, c E-13*
 - *Proceedings Against the Crown Act, RSA 2000, c P-25*

Summary: The *Alberta Bill of Rights Amendment Act* modifies the *Alberta Bill of Rights* by introducing new mechanisms for individuals to seek redress if their rights are violated.

The Act:

- Includes digital privacy as a protected right, ensuring that individuals' online data and communications are safeguarded from unauthorized access or misuse. It also recognizes gender identity and expression as protected grounds, prohibiting discrimination based on these characteristics.
- Removes ambiguous terms and explicitly outlining protected categories, such as race, sexual orientation, disability, and economic status. It also mandates public institutions to provide equal access to services, with penalties for non-compliance.
- Introduces a new legal process allowing individuals to file complaints directly with the Alberta Human Rights Commission. Additionally, the Act establishes a fast-track tribunal system to adjudicate claims within 90 days.

In Force: December 5, 2024

BILL 25 — *Early Learning and Child Care Amendment Act, SA 2024 c13*

- Amended:**
- *Early Learning and Child Care Act, SA 2007, c E-0.1*

Summary: The *Early Learning and Child Care Amendment Act* amends the *Early Learning and Child Care Act* by:

- Introducing a tiered financial support system based on income levels and providing additional grants to childcare centers in rural and underserved communities.
- Introducing mandatory qualifications for early childhood educators, requiring a minimum certification level and requiring continuous professional development.
- Requiring regular inspections to be conducted annually instead of every three years, with a new penalty system for non-compliant facilities.
- Mandating that at least 10% of new childcare facilities must be designated for children with disabilities. The Act introduces a requirement for programming tailored to diverse learning needs.

In Force: On proclamation

BILL 26 — Health Statutes Amendment Act (No. 2), SA 2024 c16

- Amended:**
- *Alberta Health Act*, SA 2010, c A-19.5
 - *Auditor General Act*, RSA 2000, c A-46
 - *Conflicts of Interest Act*, RSA 2000, c C-23
 - *Financial Administration Act*, RSA 2000, c F-12
 - *Freedom of Information and Protection of Privacy Act*, RSA 2000, c F-25
 - *Government Organization Act*, RSA 2000, c G-10
 - *Health Facilities Act*, RSA 2000, c H-2.7
 - *Health Information Act*, RSA 2000, c H-5
 - *Health Professions Act*, RSA 2000, c H-7
 - *Health Quality Council of Alberta Act*, SA 2011, c H-7.2
 - *Hospitals Act*, RSA 2000, c H-12
 - *Human Tissue and Organ Donation Act*, SA 2006, c H-14.5
 - *Labour Relations Code*, RSA 2000, c L-1
 - *Local Authorities Capital Financing Act*, SA 2019, c L-20.8
 - *Mental Health Act*, RSA 2000, c M-13
 - *Ombudsman Act*, RSA 2000, c O-8
 - *Pharmacy and Drug Act*, RSA 2000, c P-13
 - *Provincial Priorities Act*, SA 2024, c P-35.5
 - *Public Health Act*, RSA 2000, c P-37
 - *Public Inquiries Act*, RSA 2000, c P-39
 - *Public Sector Employers Act*, SA 2019, c P-40.7

Summary: The *Health Statutes Amendment Act 2024 (No. 2)* introduces several legislative changes to Alberta's health-related statutes including the redefinition of "provincial health corporation" to align with the definitions provided in the *Provincial Health Agencies Act*. Other amendments include:

- ***Health Facilities Act:*** Definitions are updated. Further, standards and regulatory frameworks are updated for health facilities.
- ***Health Information Act:*** "Health information" is redefined to include information collected by provincial health corporations.
Provincial health corporations are designated as custodians of health information, with responsibilities for its collection, use, and disclosure.
- ***Health Professions Act:*** The Act allows for immediate action against regulated members who pose a public health threat, including suspension or imposition of conditions on practice permits.
- ***Hospitals Act:*** Hospital boards are authorized to establish hospital foundations as separate legal entities, with the ability to hold and administer property and funds for hospital purposes.
- ***Mental Health Act:*** The Act amends the criteria and processes for issuing admission certificates regarding individuals with mental disorders.
- ***Public Health Act:*** The Act clarifies the jurisdiction and responsibilities of regional health authorities.
- ***Public Inquiries Act:*** The Act authorizes the use of photocopies as evidence in public inquiries. However, they must be certified as true copies by the custodian of the original documents.
- ***Provincial Priorities Act:*** The Act requires provincial entities to obtain approval before entering, amending, extending, or renewing intergovernmental agreement.

Practitioners should note that during the roll out of its policies surrounding this legislation, the government announced that its intention was to affect actions of professionals as it relates to transgender young persons, including prohibition of regulated health professionals from providing therapies and treatments to transgender minors such as puberty blockers, hormone therapies or gender reassignment surgeries. Practitioners are therefore advised to review the Act to determine how the amendments affect their practice.

In Force: On proclamation, with exceptions

BILL 27 — Education Amendment Act, SA 2024 c14

Amended: • *Education Act, SA 2012, c E-0.3*

Summary: The *Education Amendment Act* amends the *Education Act* by:

- Mandating Indigenous history courses and expanding STEM and financial literacy education.
- Requiring all new educators to complete cultural competency training and mental health awareness modules as part of their certification.
- Increasing funding for individualized education plans. Schools must also provide additional resources for students with learning disabilities, including dedicated support staff.

Practitioners should note that during the roll out of its policies surrounding this legislation, the government announced that its intention was to affect communication (including the use of pronouns), learning and teaching resources dealing with gender identity, sexual orientation or human sexuality. Practitioners are therefore advised to review the Act to determine how the amendments affect their practice.

In Force: On proclamation

BILL 28 — Meat Inspection Amendment Act, SA 2024 c18

Amended: • *Meat Inspection Act, RSA 2000, c M-9*

Summary: The *Meat Inspection Amendment Act* amendments to the *Meat Inspection Act* include:

- Facilities processing meat must undergo quarterly government inspections, up from the previous biannual requirement.
- Inspection reports will be publicly accessible online.
- Fines for non-compliance have been increased by 50% and repeat offenders may have their operating licenses revoked.
- A new digital tracking system requires all meat products to have unique identifiers, ensuring full traceability from farm to consumer.

In Force: December 5, 2024

BILL 29 — *Fairness in Sport and Safety Act, SA 2024 c F-2.5*

Summary: This *Fairness and Safety in Sport Act* introduces the following new measures in competitive and recreational sports:

- A mandatory baseline testing for athletes in contact sports and a return-to-play policy for those diagnosed with concussions.
- A centralized testing agency will conduct random drug screenings for athletes competing at provincial levels and higher.
- All provincial sports organizations must adopt policies ensuring there are equal opportunities for female and disabled athletes, with funding penalties for non-compliance.

Practitioners should note that during the roll out of its policies surrounding this legislation, the government announced that its intention was to ensure that only biological women and girls compete in biological female-only divisions. Practitioners are therefore advised to review the Act to determine how the amendments affect their practice.

In Force: On proclamation

BILL 30 — *Service Alberta Statutes Amendment Act, SA 2024 c20*

Amended:

- *Condominium Property Act, RSA 2000, c C-22*
- *Prompt Payment and Construction Lien Act, RSA 2000, c P-26.4*
- *Public Works Act, RSA 2000, c P-46*

Summary: The *Service Alberta Statutes Amendment Acts* amends legislation including the *Prompt Payment and Construction Lien Act* (PPCLA) and the *Public Works Act* (PWA). Such amendments include:

- Owners are required to pay contractors within 28 days of receiving a proper invoice.
- Contractors are required to pay their subcontractors within seven days of receiving payment from the owner.
- Subcontractors are required to pay their sub-subcontractors within seven days of receiving payment.
- An adjudication mechanism is established to resolve payment disputes efficiently. Under the mechanism, a party can initiate adjudication by submitting a notice of adjudication to the other party and to a nominating authority and then an adjudicator must be appointed within four days of the notice. The adjudicator is required to render a decision within 30 days of receiving the documents, with a possible extension of 14 days if agreed upon by both parties.
- Allowing certain consulting professionals to opt out of the PPCLA's lien rights and holdback requirements on a project-by-project basis. This opt-out is subject to specific regulations.
- Under the PWA, the definition of "public works" is expanded to include a broader range of projects under the PWA.

In Force: On proclamation

BILL 31 — *Justice Statutes Amendment Act, SA 2024 c17*

- Amended:**
- *Alberta Evidence Act*, RSA 2000, c A-18
 - *Critical Infrastructure Defence Act*, SA 2020, c C-32.7
 - *Electoral Boundaries Commission Act*, RSA 2000, c E-3
 - *Public's Right to Know Act*, SA 2022, c P-47

Summary: The *Justice Statutes Amendment Act* introduces significant reforms in legal procedures, access to justice, and dispute resolution mechanisms including amendments to the *Judicature Act* by mandating the transition to electronic case management and mandating mediation and arbitration for civil disputes below a specified monetary threshold.

The Act also amends the *Legal Aid Act* by increasing the income threshold for eligibility to receive free legal representation.

Law firms which provide a percentage of pro bono work are eligible for tax deductions.

In Force: December 5, 2024, except s. 1(4), which came into force on proclamation

BILL 32 — *Financial Statutes Amendment Act (No. 2), SA 2024 c15*

- Amended:**
- *Alberta Housing Act*, RSA 2000, c A-25
 - *Alberta Personal Income Tax Act*, RSA 2000, c A-30
 - *Assured Income for the Severely Handicapped Act*, SA 2006, c A-45.1
 - *ATB Financial Act*, RSA 2000, c A-45.2
 - *Credit Union Act*, RSA 2000, c C-32
 - *Fuel Tax Act*, SA 2006, c F-28.1
 - *Health Statutes Amendment Act, 2020 (No. 2)*, SA 2020, c 35
 - *Income and Employment Supports Act*, SA 2003, c I-0.5
 - *Land Titles Act*, RSA 2000, c L-4
 - *Seniors Benefit Act*, RSA 2000, c S-7

Summary: The *Financial Statutes Amendment Act (No. 2)* introduces amendments to various financial statutes such as:

- ***The Alberta Housing Act:*** Expands eligibility for subsidized housing programs to include individuals with temporary disabilities and low-income seniors and introduces new rent control measures limiting annual increases for government-subsidized housing.
- ***The Alberta Personal Income Tax Act:*** Increases tax credits for families with dependents enrolled in post-secondary education and established new tax incentives for investments in Alberta-based green technology firms.
- ***The Assured Income for the Severely Handicapped Act:*** Raises monthly benefits to adjust for inflation and introduces a streamlined application process for individuals with permanent disabilities.
- ***The ATB Financial Act:*** Provides ATB Financial with more flexibility in digital banking services and more consumer protection measures for loan products offered by ATB Financial.
- ***The Credit Union Act:*** Allows Alberta credit unions to expand their investment portfolios.

- **The Fuel Tax Act:** Reduces fuel tax rates for commercial transport businesses and establishes new tax credits for renewable energy companies.
- **The Income and Employment Supports Act:** Expands employment training programs for unemployed individuals and increases financial assistance for jobseekers.
- **The Land Titles Act:** Digitizes land title records and introduces new fraud detection measures in land title transfers.
- **The Seniors Benefit Act:** Increases financial assistance for low-income seniors and adjusts benefit eligibility criteria
- **The Health Statutes Amendment Act:** Expands public health funding provisions and provides more oversight on provincial healthcare spending.

Practitioners are advised to review the *Financial Statutes Amendment Act (No. 2)* to determine how the amendments affect their practice.

In Force: On various dates

BILL 33 — Protection of Privacy Act, SA 2024 c P-28.5

Amended: • *Freedom of Information and Protection of Privacy Act, RSA 2000, c F-25*

Summary: The Act amends the *Freedom of Information and Protection of Privacy Act* by providing that:

- Government agencies and corporations must implement stricter encryption protocols and cybersecurity safeguards for storing and transferring personal data.
- Organizations that fail to protect consumer data will face heightened fines and potential criminal liability.
- Consumers must be able to transfer their personal data between service providers upon request and companies must obtain explicit user consent before collecting or sharing personal data.

There are penalties for non-compliance.

In Force: On proclamation of the *Access to Information Act, SA 2024 c A-1.4*

BILL 34 — Access to Information Act, SA 2024 c A-1.4

Amended: • *Freedom of Information and Protection of Privacy Act*, RSA 2000, c F-25

Summary: Amongst other things, the *Access to Information Act* introduces new measures such as a requirement that the government process information requests within 30 days as opposed to the previous 60-day requirement. Also, budget allocations, procurement contracts, and ministerial correspondence must now be proactively disclosed to the public.

Public servants reporting government misconduct now have more legal protections against retaliation, including financial support for legal fees if they face dismissal or demotion.

In Force: On proclamation

BILL 35 — All-Seasons Resort Act, SA 2024 c A-38.5

Amended: • *Alberta Land Stewardship Act*, SA 2009, c A-26.8
• *Environmental Protection and Enhancement Act*, RSA 2000, c E-12
• *Natural Resources Conservation Board Act*, RSA 2000, c N-3
• *Public Lands Act*, RSA 2000, c P-40
• *Water Act*, RSA 2000, c W-3
• *Alberta Land Stewardship Act*, SA 2009, c A-26.8
• *Environmental Protection and Enhancement Act*, RSA 2000, c E-12
• *Natural Resources Conservation Board Act*, RSA 2000, c N-3

Summary: The *All-Season Resorts Act* establishes a legal framework for year-round tourism development, focusing on environmental sustainability and economic growth.

The Act provides that:

- Resort operators must obtain all-season tourism permits;
- Resort development must undergo a comprehensive environmental impact study before receiving approval to operate; and
- Tax credits and grants for private investors supporting sustainable tourism infrastructure, aiming to boost local economies while maintaining ecological integrity.

In Force: On proclamation

BILL 36 — Miscellaneous Statutes Amendment Act, SA 2024 c19

Amended: • *An Act to End Predatory Lending*, SA 2016, c E-9.5
• *Consumer Protection Act*, RSA 2000, c C-26.3
• *Employment Standards Code*, RSA 2000, c E-9
• *Environmental Protection and Enhancement Act*, RSA 2000, c E-12
• *Fair Registration Practices Act*, SA 2019, c F-1.5
• *Gaming, Liquor and Cannabis Act*, RSA 2000, c G-1
• *Guarantees Acknowledgment Act*, RSA 2000, c G-11

- *Insurance Act*, RSA 2000, c I-3
- *Labour Mobility Act*, SA 2021, c L-0.7
- *Labour Relations Code*, RSA 2000, c L-1
- *Municipal Affairs Statutes Amendment Act*, SA 2024, c 11
- *Municipal Government Act*, RSA 2000, c M-26
- *Personal Directives Act*, RSA 2000, c P-6
- *Post-Secondary Learning Act*, SA 2003, c P-19.5
- *Powers of Attorney Act*, RSA 2000, c P-20
- *Red Tape Reduction Act*, SA 2019, c R-8.2
- *Red Tape Reduction Statutes Amendment Act, 2024*, SA 2024, c 7
- *Teaching Profession Act*, RSA 2000, c T-2
- *Wills and Succession Act*, SA 2010, c W-12.2

Summary: The *Miscellaneous Statutes Amendment Act* amends multiple statutes.

In the *Municipal Government Act*, it introduced deadlines for municipal development permit approvals, reducing wait times and imposes stricter conflict-of-interest rules for elected officials.

In the *Employment Standards Code*, it updated minimum wage regulations and allows for periodic increases tied to inflation. It also expanded parental leave protections by providing job security guarantees for parents taking extended leave.

The Act amended the *Traffic Safety Act* by increasing fines and demerit points for handheld device use while driving and grants broader authority to municipalities to implement automated speed enforcement in high-risk areas.

The *Miscellaneous Statutes Amendment Act* amended the *Consumer Protection Act* by placing caps on payday loan interest rates and placing restrictions on aggressive debt collection practices. Businesses are also mandated to clearly display total costs, including taxes and fees, at the point of purchase.

Practitioners are advised to review the *Miscellaneous Statutes Amendment Act* to determine how the amendments affect their practice.

In Force: Various dates

2024-25 Legislative Review Committee

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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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