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Bill 126

An Act to implement Budget measures and to enact and amend various statutes

The Hon. P. Bethlenfalvy
Minister of Finance

Government Bill

1st Reading April 28, 2022

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

SCHEDULE 1 CITY OF TORONTO ACT, 2006

The *City of Toronto Act, 2006* is amended to provide that the TTC may enter into an agreement with a municipality or local board authorizing the municipality or local board to operate, maintain or both operate and maintain part of a local passenger transportation system within the City.

SCHEDULE 2 INSURANCE ACT

New section 101.3 of the *Insurance Act* requires insurers to provide the Chief Executive Officer or an agency designated by the Chief Executive Officer with certain information about automobile insurance fraud for the purpose of assessing and detecting automobile insurance fraud. The Act is also amended to provide for related rules to be made by the Authority.

Technical amendments are made to the French versions of sections 101.1 and 101.2 of the Act.

SCHEDULE 3 ONTARIO CAPITAL GROWTH CORPORATION ACT, 2008

The *Ontario Capital Growth Corporation Act, 2008* is amended to change the name of the Corporation to Venture Ontario in English and Croissance Ontario in French.

SCHEDULE 4 ONTARIO LOAN ACT, 2022

The *Ontario Loan Act, 2022* is enacted. Subsection 1 (1) of the Act authorizes the Crown to borrow a maximum of \$24.2 billion.

SCHEDULE 5 TAXATION ACT, 2007

Section 21.1 of the *Taxation Act, 2007* currently provides for the low-income individuals and families tax credit. The credit currently allows an eligible individual to deduct up to \$850 from their tax payable for a taxation year. Amendments are made to the credit for taxation years ending after December 31, 2021, which would, among other things, allow eligible individuals to deduct up to \$875 from their tax payable for the year.

Clause 95 (15) (f) of the Act currently provides that the Ontario book publishing tax credit cannot be claimed with respect to the publishing of a literary work if the literary work is published in an edition of less than 500 copies of a bound book. The clause, which currently does not apply to literary works published in 2020 or 2021, is amended to provide that it only applies to literary works published before 2020.

Subsection 97.1 (4.1) of the Act currently defines special expenditures for the purposes of the regional opportunities investment tax credit as eligible expenditures in respect of property that is considered to have become available for use during the period that commences on March 24, 2021 and ends on December 31, 2022. The subsection is amended to provide that the period ends on December 31, 2023.

New section 103.0.6 of the Act provides the Ontario seniors care at home tax credit. The credit is refundable and is available to eligible individuals in respect of a taxation year that ends after December 31, 2021. An eligible individual's tax credit for a taxation year cannot exceed \$1,500 and is calculated based on the amount of tax credit for medical expenses that the individual deducted under the Act for the year. Consequential amendments are made to sections 84 and 176 of the Act.

SCHEDULE 6 WORKPLACE SAFETY AND INSURANCE ACT, 1997

Subsection 165 (1) of the *Workplace Safety and Insurance Act, 1997*, which requires that the main offices of the Workplace Safety and Insurance Board be in the City of Toronto, is repealed.

An Act to implement Budget measures and to enact and amend various statutes**CONTENTS**

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Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Contents of this Act

1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.

Commencement

2 (1) Except as otherwise provided in this section, this Act comes into force on the day it receives Royal Assent.

(2) The Schedules to this Act come into force as provided in each Schedule.

(3) If a Schedule to this Act provides that any of its provisions are to come into force on a day to be named by proclamation of the Lieutenant Governor, a proclamation may apply to one or more of those provisions, and proclamations may be issued at different times with respect to any of those provisions.

Short title

3 The short title of this Act is the *Plan to Build Act (Budget Measures), 2022*.

**SCHEDULE 1
CITY OF TORONTO ACT, 2006**

1 Section 395 of the *City of Toronto Act, 2006* is amended by adding the following subsections:

Agreements with municipality or local board

(5) Despite subsection (1), the TTC may enter into an agreement with a municipality or local board authorizing the municipality or local board to operate, maintain or both operate and maintain, within the City, part of the municipality or local board's local passenger transportation system on the conditions specified in the agreement.

Same

(6) Where an agreement is made pursuant to subsection (5) for the purpose of integrating the services of the local passenger transportation system with those of the system operated by the TTC, the agreement is not a sale or transfer or deemed sale or transfer of the operation or part of the operation of the TTC under the *Labour Relations Act, 1995*, and does not constitute contracting out for the purposes of a collective agreement to which the TTC is a party.

Commencement

2 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 2
INSURANCE ACT**

1 The French version of section 101.1 of the *Insurance Act* is amended by striking out “désigné par le directeur général de l’Autorité” and substituting “désigné par celui-ci”.

2 The French version of section 101.2 of the Act is amended by striking out “l’organisme” and substituting “le bureau”.

3 The Act is amended by adding the following section:

Information on automobile insurance fraud

101.3 (1) Every insurer shall provide the Chief Executive Officer or an agency designated by the Chief Executive Officer with information prescribed by the Authority rules about automobile insurance fraud at such times and in accordance with such requirements as may be prescribed by the Authority rules.

Same, authority to collect, use and disclose information

(2) The Chief Executive Officer and any agency designated by the Chief Executive Officer are authorized to directly or indirectly collect, use and disclose personal information about identifiable individuals if the collection, use or disclosure of the information is for the purpose of assessing and detecting automobile insurance fraud under subsection (1).

Definition

(3) In this section,

“personal information” means personal information within the meaning of the *Freedom of Information and Protection of Privacy Act*.

4 Subsection 121.0.1 (1) of the Act is amended by adding the following paragraph:

8.2 Prescribing the information to be provided under subsection 101.3 (1) and prescribing requirements for the purposes of that subsection.

Commencement

5 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 3
ONTARIO CAPITAL GROWTH CORPORATION ACT, 2008**

1 The title of the *Ontario Capital Growth Corporation Act, 2008* is repealed and the following substituted:

Venture Ontario Act, 2008

2 The definition of “Corporation” in section 1 of the Act is repealed and the following substituted:

“Corporation” means the corporation continued under section 2; (“Société”)

3 Subsection 2 (1) of the Act is repealed and the following substituted:

Corporation continued

(1) The Ontario Capital Growth Corporation is continued as a corporation without share capital under the name Venture Ontario in English and Croissance Ontario in French.

Commencement

4 This Schedule comes into force on the day the *Plan to Build Act (Budget Measures), 2022* receives Royal Assent.

SCHEDULE 4
ONTARIO LOAN ACT, 2022

Borrowing authorized

1 (1) The Lieutenant Governor in Council may borrow in any manner provided by the *Financial Administration Act* such sums, not exceeding a total aggregate amount of \$24,200,000,000, as are considered necessary to discharge any indebtedness or obligation of Ontario or to make any payment authorized or required by any Act to be made out of the Consolidated Revenue Fund.

Other Acts

(2) The authority to borrow conferred by this Act is in addition to that conferred by any other Act.

Expiry

2 (1) No order in council authorizing borrowing authorized under this Act shall be made after December 31, 2024.

Same

(2) The Crown shall not borrow money after December 31, 2025 under the authority of an order in council that authorizes borrowing under this Act unless, on or before December 31, 2025,

- (a) the Crown has entered into an agreement to borrow the money under the order in council; or
- (b) the Crown has entered into an agreement respecting a borrowing program and the agreement enables the Crown to borrow up to a specified limit under the order in council.

Commencement

3 The Act set out in this Schedule comes into force on the day the *Plan to Build Act (Budget Measures), 2022* receives Royal Assent.

Short title

4 The short title of the Act set out in this Schedule is the *Ontario Loan Act, 2022*.

**SCHEDULE 5
TAXATION ACT, 2007**

1 (1) Subsection 21.1 (3) of the *Taxation Act, 2007* is amended by adding “and before January 1, 2022” after “after December 31, 2018” in the portion before the formula.

(2) Section 21.1 of the Act is amended by adding the following subsection:

Amount, 2022 and subsequent taxation years

(3.1) An individual who is an eligible individual for a taxation year ending after December 31, 2021 may deduct in computing the individual’s tax payable under this Division for the year an amount calculated using the formula,

$$(D - E) \times F$$

in which,

“D” is the lesser of,

- (a) \$875, and
- (b) the lowest tax rate for the year multiplied by the individual’s employment income for the year,

“E” is equal to 5 per cent of the greater of,

- (a) the amount, if any, by which the individual’s personal adjusted income for the year exceeds \$32,500, and
- (b) the amount, if any, by which the individual’s adjusted income for the year exceeds \$65,000, and

“F” is equal to the individual’s Ontario allocation factor for the year.

(3) Subsection 21.1 (4) of the Act is amended by striking out “this subsection and subsection (3)” in the portion before the definition of “adjusted income” and substituting “this section”.

2 (1) Subsection 84 (1) of the Act is amended by adding the following paragraph:

14.6 The Ontario seniors care at home tax credit under section 103.0.6.

(2) Subsection 84 (2.1) of the Act is amended by adding the following paragraph:

1.6 The tax credit referred to in paragraph 14.6 of subsection (1), with respect to a taxation year ending after December 31, 2021.

(3) Subsection 84 (3) of the Act is amended by striking out “14.5, 15 and 16” in the portion before clause (a) and substituting “14.5, 14.6, 15 and 16”.

3 Clause 95 (15) (f) of the Act is repealed and the following substituted:

(f) the corporation publishes the literary work in an edition of less than 500 copies, if the literary work is published in a year before 2020;

4 Subsection 97.1 (4.1) of the Act is amended by striking out “December 31, 2022” at the end and substituting “December 31, 2023”.

5 The Act is amended by adding the following section:

Ontario seniors care at home tax credit

Entitlement to tax credit

103.0.6 (1) An individual, who is an eligible individual for a taxation year ending after December 31, 2021, may claim an amount in respect of and not exceeding the individual’s Ontario seniors care at home tax credit for the year.

Eligible individual

(2) An individual is an eligible individual for a taxation year for the purposes of this section if both of the following are satisfied:

1. The individual is resident in Ontario on the last day of the year.
2. Any of the following conditions are satisfied:
 - i. The individual is at least 69 years of age on December 31 of the calendar year preceding the taxation year.
 - ii. On December 31 of the calendar year in which the taxation year ends, the individual has a spouse or common-law partner who, on that date, was at least 70 years of age.
 - iii. The individual had a spouse or common-law partner who died in the taxation year and that spouse or common-law partner was at least 69 years of age on December 31 of the calendar year preceding the taxation year.

Amount of tax credit

(3) The amount of an individual's tax credit under this section for a taxation year is equal to the amount calculated using the formula,

$$A - B$$

in which,

“A” is the lesser of \$1,500 and the amount calculated using the formula,

$$0.25 \times (C/D)$$

in which,

“C” is the amount of tax credit for medical expenses under subsection 9 (20) that the individual deducted in computing the amount of their tax payable under Division B of Part II for the year, and

“D” is the lowest tax rate for the year as defined in subsection 3 (1), and

“B” is the individual's reduction amount for the year as determined under subsection (4).

Reduction amount

(4) An individual's reduction amount for a taxation year is equal to the amount calculated using the formula,

$$0.05 \times (E - \$35,000)$$

in which,

“E” is the total of,

- (a) the individual's income for the taxation year, and
- (b) if the individual has a spouse or common-law partner on December 31 of the calendar year in which the taxation year ends, the income of that spouse or common-law partner for all taxation years that end in that calendar year.

Interpretation — split income

(5) For the purposes of subsection (4), an individual's income for a taxation year is deemed to be the individual's income for the year, if that income were computed without reference to paragraph 20 (1) (ww) of the Federal Act.

Bankruptcy

(6) The amount of an individual's tax credit under this section for a taxation year is deemed to be nil if the individual is bankrupt at any time in the calendar year containing the taxation year.

Relation to other credits

(7) Despite paragraph 248 (28) (b) of the Federal Act as it applies for the purposes of this Act, an individual may include the same expenses for the purpose of determining their tax credit under this section and for the purpose of calculating their tax credit for medical expenses under subsection 9 (20) of this Act.

6 Paragraph 1 of section 176 of the Act is amended by adding the following subparagraph:

xiv.vi The Ontario seniors care at home tax credit under section 103.0.6.

Commencement

7 This Schedule comes into force on the day the *Plan to Build Act (Budget Measures), 2022* receives Royal Assent.

SCHEDULE 6
WORKPLACE SAFETY AND INSURANCE ACT, 1997

1 Subsection 165 (1) of the *Workplace Safety and Insurance Act, 1997* is repealed.

Commencement

2 This Schedule comes into force on the day the *Plan to Build Act (Budget Measures), 2022* receives Royal Assent.