

Legislative
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4 CHARLES III, 2026

Bill 99

**An Act to amend the Election Act and the Election Finances Act
with respect to electoral matters**

Mr. J. Fraser

Private Member's Bill

1st Reading March 30, 2026

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill amends the *Election Act* and the *Election Finances Act* with respect to various electoral matters.

Currently, returning officers are appointed under the *Election Act* by the Lieutenant Governor in Council. The amendments make the Chief Electoral Officer responsible for appointing these returning officers. In addition, the amendments allow polling day to be chosen from a range of dates, instead of having it fall on the fifth Thursday after the date of the writ. The existing power in subsections 9.1 (6) and (7) to recommend and choose an alternate day for polling day are repealed.

The *Election Finances Act* is amended to require political advertisements that have been generated in whole or in part through the use of artificial intelligence to include a specified statement. A new prohibition is added that prohibits the transmission or publication of certain false or misleading content about an election. The Chief Electoral Officer is empowered to issue directions that stop, discontinue, remove or destroy transmissions or publications that contravene one of the provisions of the Act. A failure to comply with this direction may be subject to an administrative penalty.

**An Act to amend the Election Act and the Election Finances Act
with respect to electoral matters**

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

Election Act

1 (1) Subsection 7 (1) of the *Election Act* is repealed and the following substituted:

Returning officers

(1) The Chief Electoral Officer shall appoint a returning officer for each electoral district.

(2) Subsection 7 (3) of the Act is repealed and the following substituted:

Appointments during transitional period

(3) During the transitional period, the Chief Electoral Officer may appoint returning officers under subsection (1) for both new electoral districts and old electoral districts.

(3) Subsections 9.1 (5), (6) and (7) of the Act are repealed and the following substituted:

Polling day

(5) Polling day must be no earlier than the 36th day and no later than the 42nd day after the date of the writ.

(4) Subsection 44 (4) of the Act is repealed.

Election Finances Act

2 (1) Section 22 of the *Election Finances Act* is amended by adding the following subsection:

Information to be included in political advertisement generated using artificial intelligence

(10) In addition to the requirements of subsection (9), a political advertisement that has been generated, in whole or in part, through the use of artificial intelligence must include a statement identifying that it has been generated using artificial intelligence.

(2) The Act is amended by adding the following sections:

Prohibition on false or misleading content about administration of electoral process

37.8.1 No person or organization shall knowingly transmit or publish any false or misleading content about,

- (a) the eligibility of candidates;
- (b) any dates that are relevant to an election;
- (c) the location of any polling place; or
- (d) the results of any election.

Direction to remove non-compliant transmissions or publications

37.8.2 (1) If the Chief Electoral Officer believes on reasonable grounds that a transmission or publication is contravening one of the provisions of this Act, the Chief Electoral Officer may issue a direction to the person or organization who is making the transmission or publication to do any of the following:

1. Stop or discontinue the transmission or publication.
2. Remove or destroy the publication.

Contents of direction

(2) The direction referred to in subsection (1) must,

- (a) describe the transmission or publication that the Chief Electoral Officer believes is not in compliance with this Act;
- (b) identify the provisions of this Act that the Chief Electoral Officer believes are being contravened;

- (c) advise that a monetary penalty may be imposed if the person or organization does not comply with the direction within 12 hours after receiving it.

Compliance

- (3) Any person or organization that receives a direction under subsection (1) shall comply with it within 12 hours after receiving the notice.

(3) Subsection 45.1 (1) of the Act is amended by adding the following paragraph:

8.1 Subsection 37.8.2 (3).

(4) Paragraph 2 of subsection 45.1 (5) of the Act is amended by adding the following subparagraph:

ix.1 subsection 37.8.2 (3).

Commencement

3 This Act comes into force on the day it receives Royal Assent.

Short title

4 The short title of this Act is the *Fair and Free Elections Act, 2026*.