

RE: Bill 39: Amendments to Public Schools Act (campaign financing for school trustees)

Bill 39 is an amendment to the Public Schools Acts to address campaign financing for school board elections.

Manitoba School Boards Association has put together a Q&A document to highlight the changes now that Bill 39 received royal assent on June 3, 2025.

Q: What section of the PSA is this amending?

A: This will add Section 27.1(1) through 27.14 of the PSA

Q: What are the key definitions in the bill?

- **Campaign expense:** Money spent, liabilities incurred or value of non-monetary contributions for election purposes during a campaign period.
- **Campaign period:** For general elections, June 30 to March 31 of the following year; for by-elections, from the warrant receipt to 90 days after election day.
- **Contribution:** Money or non-monetary contributions provided without compensation.
- **Registered candidate:** A candidate for school trustee registered under section 27.2.

Q: What are the registration requirements for candidates?

A: Candidates must register with the senior election official before soliciting or accepting contributions or incurring campaign expenses. Registration involves providing personal information (name, address, or information requested by the senior election official) and being eligible for nomination.

Q: What if a candidate does not register?

A: A person who is not registered as a candidate, or a person acting on behalf of the person, must not solicit or accept money or non-monetary contributions and/or incur an expense

Contributions

Q: Who can make contributions to a registered candidate?

A: Only individual residents of Manitoba can make contributions, with a maximum contribution limit of \$1,500 per candidate. Cash contributions cannot exceed \$25.00.

Q: What can be contributed?

A: An individual can only contribute their own money or property and can not contribute something that has been provided to them by another person or organization.

Q: What do you do if a registered candidate receives an anonymous contribution?

A: The contribution must be turned over to the senior election official without delay. The contribution will become part of the general funds for the school division or district.

Q: Can a registered candidate contribute to their own campaign?

A: A registered candidate may make a monetary contribution to their own campaign, but the total amount must not exceed \$7,500.

Expenses

Q: What are the campaign expense limits?

A: Candidates must not incur campaign expenses exceeding the total amount of contributions received and must not incur a deficit.

Q: Are there any amounts excluded from campaign expenses?

A: Expenses for childcare or due to a disability of the candidate, that are over and above what the candidate normally incurs for those expenses are not included in the campaign expenses.

Q: What if there is a surplus at the end of the registered candidate's campaign?

A: Any surplus must be paid by the registered candidate to the school division or district without delay. The surplus is then held in trust for the candidate's next general election, by-election or in any other case the money is moved to the general funds of the division.

Records and Reporting

Q: What are the reporting requirements for candidates?

A: Candidates must file with the secretary-treasurer an election finance statement within 30 days after the campaign period, detailing all contributions and expenses, including names of contributors who donate \$250 or more. The statement must be accompanied by a statutory declaration of accuracy.

Q: What happens with the report?

A: The secretary-treasurer will post the statement on the division or district's website, in an area that is publicly accessible.

Q: What are the penalties for non-compliance?

A: Non-compliance with the provisions can result in fines up to \$5,000 but does not lead to disqualification from office.