



NEW BILLS TO NOTE

The British Columbia Legislative Assembly began its Spring Session on February 12, 2019 and ended on May 30, 2019.

Lawyers should refer to the original version of the specific Bill for its current status at First, Second or Third Reading or Royal Assent.

This information is current from May 24, 2019 to May 30, 2019.

LIST OF NOTABLE GOVERNMENT BILLS

The government bills introduced in this Spring 2019 Session are:

- *Agricultural Land Commission Amendment Act, 2019*, S.B.C. 2019, c. 32 (Bill 15);
- *Attorney General Statutes Amendment Act, 2019*, S.B.C. 2019, c. 4 (Bill 9);
- *Budget Measures Implementation Act, 2019*, S.B.C. 2019, c. 7 (Bill 5);
- *Business Corporations Amendment Act, 2019*, S.B.C. 2019, c. 15 (Bill 24);
- *Business Practices And Consumer Protection Amendment Act, 2019*, S.B.C. 2019, c. 22 (Bill 7);
- *Civil Forfeiture Amendment Act, 2019*, S.B.C. 2019, c. 12 (Bill 11);
- *Coastal Ferry Amendment Act, 2019*, S.B.C. 2019, c. 9 (Bill 25);
- *Community Safety Amendment Act, 2019* (Bill 13)(Second Reading May 1, 2019);
- *Employment Standards Amendment Act, 2019*, S.B.C. 2019, c. 27 (Bill 8);
- *Energy Statutes Amendment Act, 2019*, S.B.C. 2019, c. 24 (Bill 19);
- *Environmental Management Amendment Act, 2019*, S.B.C. 2019, c. 19 (Bill 17);
- *Financial Services Authority Act, 2019*, S.B.C. 2019, c. 14 (Bill 26);
- *Forest Amendment Act*, S.B.C. 2019, c. 31 (Bill 22);
- *Forest and Range Practices Amendment Act, 2019*, S.B.C. 2019, c. 25 (Bill 21);
- *Heritage Conservation Amendment Act, 2019*, S.B.C. 2019, c. 26 (Bill 14);
- *Income Tax Amendment Act, 2019*, S.B.C. 2018, c. 6 (Bill 10);
- *Labour Relations Code Amendment Act, 2019*, S.B.C. 2019, c. 28 (Bill 30);
- *Land Owner Transparency Act*, S.B.C. 2019, c. 23 (Bill 23);
- *Medicare Protection Amendment Act, 2019*, S.B.C. 2019, c. 8 (Bill 20);
- *Miscellaneous Statutes Amendment Act, 2019*, S.B.C. 2019, c. 11 (Bill 29);
- *Municipal Affairs And Housing Statutes Amendment Act, 2019*, S.B.C. 2019, c. 5 (Bill 3);
- *Police Amendment Act, 2019*, S.B.C. 2019, c. 18 (Bill 31);
- *Protected Areas of British Columbia Amendment Act (No. 2), 2019*, S.B.C. 2019, c. 16 (Bill 32);
- *Protected Areas Of British Columbia Amendment Act, 2019*, S.B.C. 2019, c. 17 (Bill 16);
- *Protection Of Public Participation Act*, S.B.C. 2019, c. 3 (Bill 2);

Serving the Lawyers of British Columbia

10th Flr, 845 Cambie St, Vancouver, BC V6B 5T3

tel: 604.687.3404 | toll free: 1.888.687.3404 | fax: 604.669.9601 | toll free fax: 1.877.669.9601 | cba@cbabc.org | cbabc.org

- *Supply Act (No. 1), 2019*, S.B.C. 2019, c. 2 (Bill 12);
- *Supply Act 2018- 2019 (Supplementary Estimates)*, S.B.C. 2019, c. 1 (Bill 6);
- *Supply Act, 2019–2020*, S.B.C. 2019, c. 33 (Bill 34);
- *Ticket Sales Act*, S.B.C. 2019, c. 13 (Bill 27);
- *Witness Security Act*, S.B.C. 2019, c. 21 (Bill 4);
- *Workers Compensation Amendment Act, 2019*, S.B.C. 2019, c. 10 (Bill 18);
- *Zero-Emission Vehicles Act*, S.B.C. 2019, c. 29 (Bill 28).

SUPPLY ACT 2019-2020, S.B.C. 2019, C. 33 (BILL 34)

Amended: None

Transitional

Provisions: None

Statutes

Repealed: None

Summary: Bill 34 authorizes additional funding for the operation of government programs for the 2019-2020 fiscal year. Bill 34 also authorizes funding for the expenses of the public service for the fiscal year, ending on March 31, 2019.

In Force: On Royal Assent May 30, 2019

LIST OF PRIVATE MEMBERS' BILLS ENACTED BY THE LEGISLATIVE ASSEMBLY

The Legislative Assembly enacted these private member bills in this Spring 2019 Session:

- *Business Corporations Amendment Act (No. 2), 2019*, S.B.C. 2019, c. 20 (Bill M209); and
- *Residential Tenancy Amendment Act, 2019*, S.B.C. 2019, c. 30 (Bill M206).

BUSINESS CORPORATIONS AMENDMENT ACT (NO. 2), 2019, S.B.C. 2019, C. 20 (BILL M209)

Amended: *Business Corporations Act*, S.B.C. 2002, c. 57

Transitional
Provisions: None

Statutes
Repealed: None

Summary: By way of background, in 2018 Dr. Andrew Weaver, MLA and Leader of the Green Party, introduced a private member's bill to amend the *Business Corporations Act* to allow companies to become benefit companies.

That bill was not enacted. The vast majority of private member's bills are not enacted.

In April 2019, Dr. Weaver again introduced a private member's bill—M209—to allow companies to become benefit companies.

Bill M209 amends the *Business Corporations Act*, including to:

- Add specified definitions regarding benefit corporations;
- Require a benefit company to keep its benefit report at its records office;
- Require a benefit company that is an amalgamated company to keep its benefit report at its records office;
- Require that a benefit company may retain its benefit report, after 7 years from the date on which they were received for deposit at the records office, be kept by the company at a location other than the records office so long as those records can be produced from that other location by the person who maintains the records office for the company on 48 hours' notice, not including Saturdays and holidays;

- Permit inspection by any person, without charge, inspect the copy of the benefit report that a benefit company is required to keep;
- Add a new Part 2.3 (Benefit Companies), including to:
 - allow a company to be a benefit company which is committed to conducting its business in a responsible and sustainable manner and promoting one or more public benefits,
 - require a benefit company to include in its articles a provision that specifies the public benefits to be promoted by the benefit company, and sets out the following commitment to conduct the benefit company's business in a responsible and sustainable manner and to promote its public benefits,
 - require a benefit company to assess against a third-party standard, the performance of the benefit company in carrying out the commitments set out in the benefit company's benefit provision,
 - require the benefit company's director or officer to act honestly and in good faith with a view to conducting the business in a responsible and sustainable manner and promoting the public benefits specified in the company's articles,
 - permit a company to become a benefit company by altering its notice of articles to include the benefit statement,
 - provide that a benefit company director or officer is not liable for acting in good faith,
 - permit a company shareholder to dissent in the event the benefit company's benefit provision is altered,
 - require a benefit company to have an amalgamation agreement with specified information before it can be amalgamated,
 - permit a foreign benefit company to apply for continuation into BC, including to adopt a notice of articles and articles that set out a benefit provision,
 - create these offences:
 - failure to comply with approval and signing requirements for a benefit report

- failure to publish or post a benefit report or publishing or posting a non-compliant benefit report, which makes an individual liable to a maximum \$2,000 fine or if the person is not an individual, liable to a maximum \$5,000 fine
- permit regulations regarding third-party standards and benefit companies to be made.

In Force: By regulation

RESIDENTIAL TENANCY AMENDMENT ACT, 2019, S.B.C. 2019, C. 30 (BILL M206)

Amended: *Residential Tenancy Act, S.B.C. 2002, c. 78*

Transitional Provisions: None

Statutes Repealed: None

Summary: By way of background, in May 2019, Dr. Andrew Weaver, MLA and Leader of the Green Party, introduced a private member's bill to amend the *Residential Tenancy Act* to expand the Act's family violence provisions to allow tenants to end their fixed-term leases if staying in the rental unit is a threat to their safety or security.

Bill M206 amends the *Residential Tenancy Act* including to:

- Add a definition of "household violence", not applicable to a family but applicable to a tenant or occupant;
- Add a definition of "occupant" which means an individual, other than a tenant, who occupies a rental unit;
- Provide that a tenant is eligible to end a fixed term tenancy under, if staying in the rental unit, either the tenant or occupant is or is likely at risk from household violence.

In Force: Act comes into force by regulation or on the date that is 1 year after the date of Royal Assent (Royal Assent being May 30, 2019), whichever is earlier.

END