BILL

No. 61

An Act to amend *The Mandatory Testing and Disclosure (Bodily Substances) Act*

(Assented to)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title

1 This Act may be cited as *The Mandatory Testing and Disclosure (Bodily Substances) Amendment Act, 2026*.

SS 2005, c M-2.1 amended

2 *The Mandatory Testing and Disclosure (Bodily Substances) Act* is amended in the manner set forth in this Act.

Section 2 amended

3 Section 2 is amended:

(a) by repealing clause (d);

(b) by adding the following clause after clause (j):

"(j.1) **'ministry'** means the ministry over which the minister presides**"; and**

(c) by repealing clause (r) and substituting the following:

"(r) **'testing order'** means an order made pursuant to section 5**".**

Section 3 amended

4(1) Subsection 3(1) is amended:

(a) by adding "and**" after clause (a);**

(b) by striking out "and**" after clause (b); and**

(c) by repealing clause (c).

(2) Subsection 3(2) is amended by striking out "on at least**" and substituting "**with**".**

(3) Subsection 3(3) is repealed and the following subsection substituted:

"(3) An applicant may apply for a testing order without notice to the source individual if the applicant satisfies the court that, in the circumstances of the case, giving three days' notice to the source individual:

(a) is impossible or impracticable; or

(b) creates a risk of harm to the applicant's health or well-being**".**

Section 5 amended

5(1) The following subsection is added after subsection 5(2):

"(2.1) Subject to the regulations, if the source individual is deceased, the court may make a testing order that allows a qualified health professional to take a sample of any bodily substance specified in the testing order from the deceased source individual, and this section and sections 6 to 10 apply, with any necessary modification, with respect to that testing order**".**

(2) Subsection 5(4) is repealed and the following substituted:

"(4) A testing order may:

(a) without limiting the operation of section 11, authorize a peace officer to assist a medical health officer or qualified health professional pursuant to this Act to do all or any of the following:

(i) apprehend and convey the source individual to the location where a sample of the source individual's bodily substance will be taken;

(ii) detain the source individual until the testing order has been complied with;

(iii) for the purposes of subclauses (i) and (ii), enter the dwelling of the source individual; and

(b) contain any additional directions that the court considers necessary**".**

Section 6 amended

6 Clause 6(2)(b) is repealed and the following substituted:

"(b) gives directions respecting the manner in which the source individual must comply with the testing order**".**

New section 11

7 Section 11 is repealed and the following substituted:

"Assistance of peace officer

11 Subject to the regulations, a medical health officer or a qualified health professional may call for the assistance of a peace officer in carrying out any of the medical health officer or qualified health professional's responsibilities pursuant to this Act, and any peace officer who is called on may render assistance as requested**".**

Section 17 amended

8 Subsection 17(1) is amended by striking out "department**" wherever it appears and in each case substituting "**ministry**".**

Section 18 amended

9 The following clauses are added after clause 18(g):

"(g.1) respecting testing orders made pursuant to subsection 5(2.1), including modifying the application of any provision of this Act for the purposes of those testing orders;

"(g.2) for the purposes of section 11, respecting the assistance of peace officers**".**

New section 19

10 Section 19 is repealed and the following substituted:

"Offence and penalty

19 Every person who contravenes a provision of this Act or the regulations or an order made pursuant to this Act is guilty of an offence and liable on summary conviction to:

(a) a fine of not more than $10,000 for an individual and not more than $25,000 for a corporation;

(b) imprisonment for a term of not more than 6 months; or

(c) both fine and imprisonment**".**

Coming into force

11 This Act comes into force by order of the Lieutenant Governor in Council.

THIRD SESSION

Thirtieth Legislature

SASKATCHEWAN

BILL

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An Act to amend *The Mandatory Testing and Disclosure (Bodily Substances) Act*

Received and read the

First time

Second time

Third time

And passed

Honourable Tim McLeod

Printed under the authority of
The Speaker of the Legislative Assembly
of Saskatchewan
2026