



**Opinion of the  
Union of Rural Municipalities of the Republic of Poland**  
regarding the  
**parliamentary bill on the legality of the actions of municipality  
[gmina] authorities involved in the organization of the 2020  
presidential elections**  
parliamentary print No. 2716

The Union of Rural Municipalities of the Republic of Poland, after reviewing the contents of the draft law

**- issues a positive opinion.**

With its opinion, the union expresses its support for the initiative to waive criminal punishment of executive bodies of municipalities, discontinue the proceedings conducted in this case, and erase the judgments already passed – concerning the bodies' actions in connection with the organization of the 2020 presidential elections.

At the same time, the Union, in issuing this opinion, states as follows:

The obligation of the executive bodies of municipalities to perform certain actions related to the organization of elections has raised many doubts in the local government and legal community from the beginning. Despite this, many mayors, with a sense of trust in the authorities – especially the legislative and executive branches – through the implementation of the activities imposed on them, have had to deal with the judicial system through no fault of their own.

For the above reasons, it is difficult to accept and agree with the content of the justification presented for the bill. It is not the line of jurisprudence, which is absolutely in line with the previous positions and opinions of lawyers and local governments, including ZGWRP [Union of Rural Municipalities of the Republic of Poland], but in our opinion the legislative errors made, that determined the results of the pending proceedings.

This should be a source of knowledge and practice for the future.

The Union also requests that the bill be supplemented with provisions ordering the return of imposed monetary fines to executive authorities.

Yours faithfully,  
Leszek Świętalski

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Director of the Union of Rural Municipalities  
of the Republic of Poland

Pressed by order of the Speaker of the Sejm of the Republic of Poland