REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

THIRTEENTH CONGRESS
First Regular Session

House Bill No. 1248

Introduced by Hon. Eric D. Singson

EXPLANATORY NOTE

This bill seeks to amend Section 70 of the 1991 Local Government Code, as amended by Republic Act No. 6423, which is the Recall Process.

This bill is filed in order to improve the recall mechanism as mandated in the 1991 Local Government Code.

It would be preferable if the number of registered voters needed to validate a recall is raised proportionately to the number of population of local government unit whose elected official is subject of the recall process. The increase in the percentage of the registered voters aside from the existing Preparatory Recall assembly will stop the political persecution by some of our local officials who have vested interests. Vesting the decision on the people is more democratic and more authentic expression of the will of the people. Indeed, it should be the decision of a bigger number of the people that merits a recall.

The immediate approval of this bill is, therefore, earnestly prayed for.

ERIC D. SINGSON

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AN ACT
AMENDING SECTION 70 OF REPUBLIC ACT 7160 OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991AS AMENDED

Be it enacted by the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 70 of Republic Act 7160, otherwise known as the Local Government Code of 1991, as amended, is hereby amended to read as follows;

" Section 70. Initiation of the Recall Process. – (a) The Recall of any elective provincial, city, municipal or barangay official shall be commenced by a petition of a registered voter in the local government unit concerned and supported by the registered voters of the local government unit concerned during the election to which the local official sought to be recalled was elected subject to the following percentage requirements:

(1) At least [twenty five percent (25%)]THIRTY PERCENT (30%) in the case of local government units with a voting population of not more than twenty thousand (20,000);

(2) At least [{twenty percent (20%)] TwENTY FIVE PERCENT (25%) in the case of local government units with a voting population of at least twenty thousand (20,000) but not more than seventy-five thousand (75,000): Provided, That in no case shall the required petitioners be less than five thousand (5,000);

(3) At least [fifteen percent (15%)] TWENTY PERCENT (20%) in the case of local government units with a voting population of at least seventy-five thousand (75,000) but not more than three

hundred thousand (300,000): Provided, however, That in no case shall the required number of petitioners be less than fifteen thousand (15,000); and

(4) At least [ten percent (10%)] TWENTY PERCENT (20%) in the case of local government units with a voting population of over three hundred thousand (300,000) : Provided, however, That in no case shall the required petitioners be less than [forty-five thousand (45,000) FIFTY THOUSAND (50,000)."

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SECTION 2. The Commission on Elections shall prepare and issue the implementing rules and regulations within thirty (30) days from the effectivity of this Act.

SECTION 3. Any portion or provision of this Act that is declared unconstitutional shall not affect the validity and effectivity of the other provisions not affected thereby.

SECTION 4. All laws, decrees, executive orders, rules and regulations and other issuances or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

SECTION 5. This Act shall take effect after fifteen (15) days following its publication in two (2) national newspapers of general circulation and shall cover all duly elected and proclaimed local officials beginning with the 1998 local elections and thereafter.

Approved,