

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 139

Introduced by: **HON. SALVIO B. FORTUNO**

EXPLANATORY NOTE

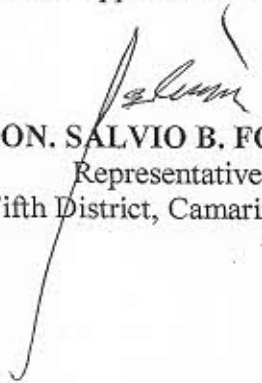
This is an offering of peace and budgetary savings to the newly elected President of the Republic of Philippines, His Excellency President Benigno Simeon C. Aquino III: Resetting the synchronized barangay and sanggunians kabataan elections.

The Filipino people had just witnessed the first ever automated national and local elections in the country last May 10, 2010. However, after barely five (5) months from the said political exercise, we will be holding the synchronized barangay and sangguniang kabataan elections even when the Commission on Elections (COMELEC) officials and employees, teachers, members of civic and religious organizations, who were directly involved in the election activities had barely warmed their seats and the sore losers have yet to accept their fate gracefully.

The election of barangay and sangguniang kabataan is supposed to be a non-partisan political activity. Yet, our experience in so many past elections has shown time and again that barangay elections cannot be totally insulated from the undue influence of partisan politics. Thus, it has caused divisiveness and has its share of some deplorable practices that trigger instances of violence among political leaders and supporters.

It is therefore the paramount objective of this important piece of legislation to reset the synchronized barangay and sangguniang kabataan elections scheduled to be held on the last Monday of October 2010 to the last Monday of October 2011. This will definitely allow the Filipino people to take a longer pause before immersing themselves again into another political battle that will certainly disturb the peaceful condition at the local level. It will also generate savings for the cash-strapped government of around Three Billion Pesos (P3 Billion) according to the cost estimate made by the COMELEC.

The foregoing reasons warrant the immediate approval of this bill.


HON. SALVIO B. FORTUNO
Representative
Fifth District, Camarines Sur

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HOUSE BILL No. _____

Introduced by: **HON. SALVIO B. FORTUNO**

AN ACT
AMENDING REPUBLIC ACT No. 9164, AS AMENDED, RESETTling THE
BARANGAY AND SANGGUNIAN KABATAAN ELECTIONS, AND FOR
OTHER PURPOSES

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

SECTION 1. Section 1 of Republic Act No. 9164, as amended, is hereby further amended to read as follows:

“SECTION 1. *Date of Election.* – There shall be synchronized barangay and sangguniang kabataan elections which shall be held on THE LAST MONDAY OF OCTOBER 2011 [July 15, 2002]. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on the last Monday of October [2007] and every three years (3) years thereafter.”

SEC. 2. Section 4 of Republic Act No. 9164, as amended, is hereby further amended to read as follows:

“SEC. 4. *Assumption of Office.* – The term of office of the barangay and sangguniang kabataan officials elected [under this Act shall commence on August 15, 2002, next following their elections. The term of office of the barangay and sangguniang kabataan officials elected] in the October 2011 [2007] election and subsequent elections shall commence at noon of November 30 next following their election.”

SEC. 3. Section 5 of Republic Act No. 9164, as amended, regarding the hold over capacity of all incumbent barangay and sangguniang kabataan officials shall remain in full force and effect.

SEC. 4. Appropriations. – The amount necessary for the implementation of this Act shall be taken from the appropriations of the Commission on Elections (COMELEC) under the General Appropriations Act of the year following its enactment into law and thereafter.

The funds mentioned above may be augmented by an amount not exceeding ten percent (10%) of the sangguniang kabataan funds reserved pursuant to Section 532 (c) of Republic Act No. 7160 as amended, otherwise known as the Local Government Code of 1991.

SEC. 5. Implementing Rules and Regulations. – The COMELEC shall issue the rules and regulations necessary to implement this Act.

SEC. 6. Repealing Clause. – All laws, decrees, executive orders, and rules and regulations, or parts thereof, inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 7. Separability Clause. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected and thereby remain in full force and effect.

SEC. 8. Effectivity Clause. – This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

Approved,

A handwritten signature in dark ink, appearing to read "Alcaraz", is written over a long, thin diagonal line that extends from the bottom left towards the center of the page.