

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

FIFTEENTH CONGRESS

HOUSE BILL NO. 2296

Introduced by:

Rep. Godofredo V. Arquiza

EXPLANATORY NOTE

A “polling place” as defined in the Omnibus Election Code, Section 152, is the building or place where the Board of Election Inspectors conducts its proceedings and where the voters cast their votes.

It also provides that “each polling place shall be, as far as practicable , a ground floor and shall be of sufficient size to admit and comfortably accommodate forty voters at one time...” In line with this, the Magna carta for Disabled Persons (Republic Act No. 7277) Section 29 also provides that “polling places should be made accessible to disabled persons during national and local elections.”

Despite the above provisions, pregnant mothers and the elderly and the disabled are often hindered by the inaccessibility of the polling Place. This proposed bill seeks to address the needs of the disadvantaged and seeks to provide for a special polling place for the disabled, the elderly, and visibly expectant mothers.


GODOFREDO V. ARQUIZA

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AN ACT
PROVIDING FOR A SPECIAL POLLING PLACE FOR THE DISABLED,
THE ELDERLY, AND THE EXPECTANT MOTHERS IN A LOCALITY

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

SECTION 1. Short Title. – This Act may be cited as “The Special Polling Place Act of 2010”

SECTION 2. Definition of Terms. – As used in this act, the term:

- (A) “*Special polling place*” refers to the place where the board of election inspectors conduct election-related proceedings such as registration, voting and the like, that is easily accessible to the disabled, the elderly, and expectant mothers.
- (B) “*Barrier free environment*” refers to an area where the special polling place within a voting center is located, having such architectural features, reasonably enhancing the mobility of the disabled, the elderly, and expectant mothers, such as sidewalks, ramps, railing, and the like or easily accessible to wheelchairs;
- (C) “*Voting center*” refers to the building or place where special polling activities take place.
- (D) “*Disabled*” refers to those persons with physical, physiological or sensory impairment, or those persons from suffering from restrictions of

different abilities to perform an activity in the manner or within the range considered normal to a human being and at same time, possess the qualifications and none of the disqualifications of a voter;

- (E) "*Elderly*" refers to senior citizens who have physical limitations due to age or sickness and at the time, possess the qualifications and none of the disqualifications of a voter;
- (F) "*Expectant mothers*" refers to visibly pregnant women who are on their sixth month of pregnancy, and may have difficulty going to the polling precinct due to the fact they are expecting, and at the same time, possess the qualifications and none of the disqualifications of a voter; and
- (G) "*Shuttle service*" refers to free transportation that will deliver the disabled, the elderly, and the expectant mothers to the special polling precincts in order to allow them to exercise suffrage without hindrance.

SECTION 3. *Special Polling Place for the Disable, the Elderly, and the Expectant Mothers.* – The Commission on Elections in coordination with local government units, concerned government agencies and other concerned groups and organizations shall conduct a study on the disabled, the elderly, and the expectant mothers in a locality to get data on their number, distribution, the extent of their limitations which may restrict their ability to participate in election-related activities, and other relevant information. Afterwards, the COMELEC shall provide for special polling places, for the disabled, the elderly, and the expectant mothers; Provided that the number and location of the special polling places shall be determined by the outcome of the study; provided further, that the designation of special polling places shall not compromise nor alter the principle or territorial jurisdiction used in election-related activities such that no special precincts shall be created for the purpose; provided further, that as a safety measure, once the COMELEC determines who among the disabled, the elderly, and the expectant mothers require a special polling place, it shall make a separate list containing the name, address, brief description of the disability or physical limitation, the precinct and the city or municipality where he/she belongs, and if already available, the voter's identification number. The list shall be posted one (1) month before any election-related activity, in two (2) conspicuous places in the city or municipal hall for one (1) week and shall be regularly updated. Those who are in the list shall not be allowed to use his/her designated polling place, while others who are not in the list, shall not be allowed to use the same. Those in the list are also to be provided free transportation by a shuttle service from his/her address to the designated polling place and back again; provided finally that the special polling places shall be located in a barrier-free environment, easily accessible to the disabled and the elderly.

SECTION 4. *Information and Education Campaign.* – The commission shall conduct an information and education campaign for the effective implementation of this Act.

SECTION 5. *Rules and Regulations.* – The Commission on Elections shall issue the necessary rules and regulations for the effective implementation of this Act.

SECTION 6. *Separability Clause.* If any provision or part hereof is held invalid or unconstitutional, the remainder of the Act or the provision not otherwise affected shall remain valid and subsisting.

SECTION 7. *Repealing Clause.* Any law, presidential decree or issuance, executive order, letter of instruction, administrative rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

SECTION 8. *Effectivity Clause.* This Act shall take effect immediately after its approval.

Approved,


GODOFREDO V. ARQUIZA