

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

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 2349

Introduced by: **HON. RUBEN B. ECLEO, JR.**

EXPLANATORY NOTE

Since time immemorial, barangay elections in the country have always been considered to be a non-partisan political activity. However, in so many past elections, our experience has shown that the said elections cannot be totally insulated from the undue influence of partisan politics. For which reason, as an electoral exercise, there had always been political wrangling from opposing camps which caused divisiveness even among close family members. Worse, it sometimes triggers instances of violence among political leaders and supporters.

Only two (2) months ago, the Filipino people had just exercised their political duty to choose their leaders in the first ever automated national and local elections in the country last May 10, 2010. Again, after barely five (5) months from such elections, we will be holding another election, the synchronized barangay and sangguniang kabataan elections in such a short period of time.

It is also imperative to cite the earlier pronouncement of His Excellency President Benigno Simeon C. Aquino III that the government is in dire need of funds to finance priority projects that will have direct impact upon the people, particularly the poor. According to the Commission on Elections (COMELEC), the cost of holding the synchronized barangay and sangguniang kabataan elections scheduled to be held on the last Monday of October 2010 is estimated to reach Three Billion Pesos (P3 Billion).

It is therefore the foremost objective of this piece of legislation to reset the scheduled barangay and kabataan elections this October to the last Monday of October 2012. This will not only generate savings for the government but most importantly, it will allow the electorates to take a longer breathing space that will calm down the political landscape for the great benefit of the Filipino people.

The foregoing reasons warrant the immediate approval of this bill.


HON. RUBEN B. ECLEO, JR.
Representative
Lone District, Dinagat Islands

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AN ACT
FURTHER AMENDING REPUBLIC ACT No. 9164, AS AMENDED,
RESETTING THE BARANGAY AND SANGGUNIAN⁴ 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 2012 [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 2012 [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 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,