

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

FIFTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 3659

INTRODUCED BY REPRESENTATIVE PEDRO P. ROMUALDO

EXPLANATORY NOTE

This bill proposes to schedule the elections of regular national and local elections earlier in select areas nationwide that are considered election hot spots for the past three (3) national elections. Historically, these areas have been monitored closely by the Commission on Elections and have been under the watch list of the Philippine National Police during election period.

The rationale for holding of early elections is to provide ample time for the Commission on Elections to conduct violence-free, honest and credible elections in these areas.

The period of fifteen (15) days would suffice for the Comelec to perform its mandate and provide the general public the outcome of the elections. It is also necessary that the election calendar be adjusted to give the candidates and the political parties to prepare for their respective campaign activities.

The Provincial Board of Canvassers is mandated to canvass the votes of all candidates but shall only proclaim the elected Member of the House of Representatives, provincial officials, city officials and municipal officials.

There shall be no substitution allowed in the Board of Canvassers unless approved by the Commission on Elections on emergency situations. In case the person holding the position is on an acting capacity or as officer in-charge only, he or she shall be appointed by the Commission to serve until the electoral period ends.

The present electoral laws, rules and regulations are still in effect and of suppletory nature as far as they are not inconsistent with this Act.

The main aim of this proposed measure is to uphold the vote of every voter and not disenfranchised the voters due to allege rampant election fraud and also to minimize if not totally diminish electoral violence in these areas.

This is a significant step towards realizing our goal for clean, honest, credible and peaceful elections in our country.

The early passage of this Act is earnestly sought.


PEDRO P. ROMUALDO

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AN ACT

PROVIDING FOR EARLY HOLDING OF REGULAR NATIONAL AND LOCAL ELECTIONS IN SELECTED PROVINCES, CITIES AND MUNICIPALITIES AND FOR OTHER PURPOSES

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

SECTION 1. *Date of election and campaign periods.* – For regular elections of every three (3) years for national and local officials except for barangay elections and elections of the President and Vice-President every six (6) years, the Commission on Elections shall provide an early calendar of three (3) weeks for the campaign period of national and local candidates in selected provinces, cities and municipalities nationwide.

The campaign periods for all positions shall still be the same and the Commission may exclude the day before and the day of the election itself, including Holy days in the election calendar in selected provinces, cities and municipalities in the country that are identified for the past three (3) national elections as election hot spots prior to the passage of this Act.

SEC. 2. *Obligation to register and vote.* – The Commission shall schedule an early registration of qualified voters and disseminate this information in coordination with the Regional, Provincial and Municipal Election Officers in these selected areas.

SEC. 3. *Failure of election.* – If, on account of force *majeure*, violence and terrorism, fraud, or other analogous causes the election in any polling place has not been held on the date earlier fixed, or had been suspended before the voting and during the preparation and the transmission of the election returns or in the canvass thereof, such election results in a failure to elect, or in any of such cases the failure or suspension of election would affect the result of the election, the Commission shall, on the basis of verified petition by any interested person and after due notice and hearing, call for the holding or continuation of the election not held, suspended, or which resulted in a failure to elect on a date reasonably close to the date of the election not held, suspended or which resulted in a failure to elect but not later than fifteen (15) days after the cessation of the cause of such postponement or suspension of the election or failure to elect.

SEC 4. *Place of canvass of votes and proclamation.* – The Provincial Board of Canvassers in these selected areas shall canvass the election returns for the President, Vice-President, Senators and Members of the House of Representatives and for all elective provincial, city or municipal officials.

Upon completion of the canvass, it shall prepare the certificate of canvass for President, Vice-President, Senators and Members of the House of Representatives and

elective provincial and municipal officials. Thereafter, it shall proclaim the elected member of the House of Representatives, provincial, city or municipal officials.

The Commission for purposes of transparency and consistent with existing laws on automation elections utilize the same facility in conducting this special elections in selected areas nationwide.

SEC. 5. *Composition of Board of Canvassers.* – There shall be a Provincial, City or Municipal Board of Canvassers in these areas composed of the following:

Provincial Board of Canvassers

- 1.) Chairman – Provincial Election Supervisor
- 2.) Vice – Chairman – Provincial Fiscal
- 3.) Member – Provincial Schools Superintendent of the Department of Education.

City Board of Canvassers

- 1.) Chairman – City Election Registrar
- 2.) Vice Chairman – City Fiscal
- 3.) Member – City Schools Superintendent of the Department of Education

Municipal Board of Canvassers

- 1.) Chairman – Municipal Election Registrar;
- 2.) Vice Chairman – District Schools Supervisor; and
- 3.) Member – Municipal Treasurer

The Commission shall not allow any substitution of the members of the Board unless on emergency situations and in the absence of a regular seating official, the next in rank or officer-in-charge shall be appointed to serve until the election period ends.

SEC. 6. *Relationship with candidates and other members.* – The chairman and the members of the board of canvassers shall not be related within the fourth civil degree of consanguinity or affinity to any of the candidates whose votes will be canvassed by said board, or to any member of the same board.

SEC. 7. *Separability clause.* – If for any reason any section or provision of this Act, or any portion thereof, or the application of such section, provision or portion to any person group or circumstance be declared invalid or unconstitutional, the remainder thereof shall remain in full force and effect.

SEC. 8. *Repealing clause.* – All other election laws, decrees, executive orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby modified, amended or repealed.

SEC. 9. *Implementing rules and regulations.* – The Commission shall draft the implementing rules and regulations to implement this Act in consultation with the majority ruling party and dominant opposition party.

SEC. 10. *Effectivity.* – This Act shall take effect upon its publication in two (2) major daily newspapers of national circulation and in one (1) local newspaper in all the provinces of the Autonomous Regions of Muslim Mindanao.

Approved.