

HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 4813

Introduced by: REP. JOSELITO "JONJON" R. MENDOZA

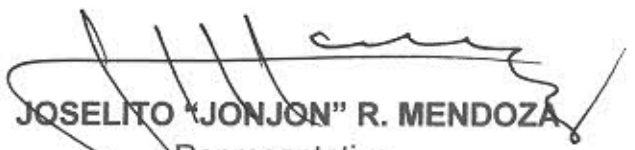
EXPLANATORY NOTE

In these fast changing times, it is highly noticeable that both commercial and industrial developments vastly plague the rural areas. In Luzon alone, these are evident in the provinces of Laguna, Batangas, Bulacan and Pampanga, wherein residential subdivisions, industrial parks and commercial areas co-exist with competing land users – the residents, farmers and fishermen.

While these changes and developments are adopted by the people, priority programs for food production, reforestation, and overall rural development are put in the shadow.

Currently, the power to reclassify land solely rests on the discretion of the city or municipality through an ordinance passed by the Sanggunian. However, this power was never subject to review or ratification. When in fact, Memorandum Circular No. 54¹ provides for the review and approval of the province on all ordinances authorizing reclassification of agricultural lands in the case of component city or municipality, and that of the HLURB in case of highly urbanized or independent city. This bill seeks to amend Section 20 of the Local Government Code of the Philippines, by providing for the review and ratification of the Sangguniang Panlalawigan or that of the HLURB on the approved ordinance of a municipality or city authorizing land reclassification, respectively. The required ratification shall be the key to the province's check and balance in ensuring the true intent and purpose of land reclassification, weeding away irresponsible and unscrupulous conversion of irrigated and irrigable agricultural lands. It shall also be the safeguarding measure on our country's food production and natural resources. This bill also intends to uphold the province's overall rural development. After all, it is the provincial government that creates and shapes the identity of its province and of its people.

In view of the foregoing, the approval of this bill is earnestly sought.


JOSELITO "JONJON" R. MENDOZA
Representative
Third District, Province of Bulacan

¹ Signed by Pres. Fidel V. Ramos on June 8, 1993.

HOUSE OF REPRESENTATIVES

H. B. No. 4813

BY REPRESENTATIVE JOSELITO "JONJON" R. MENDOZA

AN ACT TO PROTECT ALL AGRICULTURAL LANDS FROM IRRESPONSIBLE, NEGLIGENT AND ARBITRARY LAND RECLASSIFICATION, AMENDING SECTION 20 OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS LOCAL GOVERNMENT CODE, FOR THIS PURPOSE.

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

SECTION 1. Short Title. - This Act shall be known as the "*Land Reclassification Ratification Act of 2011.*"

SECTION 2. Amendments to Republic Act No. 7160. - Section 20 of Republic Act No. 7160, otherwise known as the Local Government Code, is hereby amended to read as follows:

Section 20. Reclassification of Lands. - (a) A city or municipality may, through an ordinance passed by the sanggunian after conducting public hearings for the purpose, authorize the reclassification of agricultural lands and provide for the manner of their utilization or disposition in the following cases: (1) when the land ceases to be economically feasible and sound for agricultural purposes as determined by the Department of Agriculture or (2) where the land shall have substantially greater economic value for residential, commercial, or industrial purposes, as determined by the sanggunian concerned: Provided, That such reclassification shall be limited to the following percentage of the total agricultural land area at the time of the passage of the ordinance:

- (1) For highly urbanized and independent component cities, fifteen percent (15%);
- (2) (2) For component cities and first to third class municipalities, ten percent (10%); and
- (3) (3) For fourth to sixth class municipalities, five percent (5%):
Provided, further, That agricultural lands distributed to agrarian reform beneficiaries pursuant to Republic Act Numbered Sixty-six hundred fifty-seven (R.A. No. 6657), otherwise known as "*The Comprehensive Agrarian Reform Law*", shall not be affected by the said reclassification and the conversion of such lands into other purposes shall be governed by Section 65 of said Act.

PROVIDED FURTHER, THAT THE APPROVED ORDINANCE OF THE SANGGUNIAN OF THE CITY OR MUNICIPALITY GRANTING SUCH RECLASSIFICATION SHALL BE SUBJECT TO REVIEW AND RATIFICATION OF THE PROVINCE IN THE CASE OF COMPONENT CITY OR MUNICIPALITY, OR BY THE HOUSING AND LAND USE REGULATORY BOARD (HLURB) IN THE CASE OF HIGHLY URBANIZED OR INDEPENDENT COMPONENT CITY.

SECTION 3. *Repealing Clause.* - All laws, decrees, orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 4. *Effectivity Clause.* - This Act shall take effect after fifteen (15) days following its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,