

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL No. 6198



Introduced by HON. RENE LOPEZ RELAMPAGOS

Explanatory Note

The proposed measure seeks to postpone the elections in the barangay level and the Sangguniang Kabataan scheduled this October 2013 to the last Monday of October 2014.

The indispensable role of the barangay and SK officials in the effort of the government in providing, among others, public order and safety, health and sanitation, including the delivery of basic services, is no longer subject of debate. It is noteworthy that in a decided case by the Supreme Court in *Occena v. Comelec*, GR L-60258, January 1984, it quoted portions of the discussion in the Batasan Pambansa. In "e(E)xplaining the reason for the non-partisan character of the barangay election when he sponsored Parliamentary Bill 2125 which later became BP Blg. 222, Minister of State for Political Affairs Leonardo B. Perez said, Mr. Speaker, we must not lose sight of the fact that the barangay is the basic unit not only of our social structure but also of our political structure. As much as possible, we believe that it would be a more prudent policy to insulate the barangays from the influence of partisan politics".

It is to be noted that for the year 2013 there will be two (2) elections, the congressional and local elections (May 2013); and also the barangay and SK elections (October 2013). The elections in the barangay level and SK will definitely need a substantial amount of government budgetary allocation. The billions of pesos that will be saved in this barangay and SK elections can definitely be utilized by the State for various worthwhile projects and programs for the improvement of the quality of life of Filipinos.

Furthermore, it has been argued that the present three year term of the barangay official is not adequate to guarantee that the projects of the barangay are properly implemented. Hence, an extension of two years would be practical to make certain that these programs and projects initiated by the barangay will be appropriately carried out and would come to its completion.

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

RENE L. RELAMPAGOS

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AN ACT
RESETTING THE DATE OF SYNCHRONIZED BARANGAY AND
SANGGUNIAN KABATAAN ELECTIONS FROM LAST MONDAY OF
OCTOBER 2013 TO THE LAST MONDAY OF OCTOBER 2014, AMENDING FOR
THE PURPOSE REPUBLIC ACT NO. 9340, OTHERWISE KNOWN AS "AN ACT
AMENDING REPUBLIC ACT NO. 9164, RESETTING THE BARANGAY AND
SANGGUNIAN KABATAAN ELECTIONS, AND FOR OTHER PURPOSES"

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

SECTION 1. Section 1 of Republic Act No. 9340 is hereby amended to read as follows:

"SECTION 1. *Date of Election.* – There shall be synchronized barangay and sanggunian kabataan elections which shall be held on July 15, 2002. Subsequent synchronized barangay and sanggunian elections shall be held on the **LAST** Monday of **OCTOBER 2014**, and every [three] **FIVE (5)** years thereafter."

SEC. 2. Section 2 of Republic Act No. 9340 is hereby further amended to read as follows:

"SECTION 2. *Term of Office.* – The term of office of all Barangay and Sanggunian Kabataan officials after the effectivity of this Act shall be [three (3) years] **FIVE (5) YEARS** and shall commence at noon of November 30 next following their election.

No barangay elective official shall serve for more than three (3) consecutive terms in the same position: Provided, however, that the term of office shall be reckoned from the 1994 barangay elections. Voluntary renunciation of office for any length of time shall not be considered as an interruption in the continuity of service for the full term for which the elective official was elected."

SEC. 3. *Rules and Regulations.* The Commission on Elections shall promulgate the implementing rules and regulations necessary to implement this Act.

SEC. 4. *Separability Clause.* – If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 5. *Repealing Clause.* – All laws, presidential decrees or issuances, executive orders, letter of instructions, and rules or regulations, or parts thereof, contrary to or inconsistent with, the provisions of this Act is hereby repealed or modified accordingly.

SEC. 6. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,