

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

SIXTEENTH CONGRESS

Second Regular Session

House Bill No. **4722**



Introduced by Rep. EVELIO R. LEONARDIA

EXPLANATORY NOTE

The Local Government Code (R.A. 7160) Sec. 521 thereof provides that it may be mandatorily reviewed at least once every five (5) years and as often as it may be deemed necessary.

Section 393 (b) (4) in said Code provides exemption from paying tuition fees and matriculations on incumbent elective and appointive barangay officials, i.e., the punong barangay, sangguniang members, barangay treasurer, and barangay secretary, for their legitimate dependent children enrolled in state colleges or universities, with such privilege to last during said barangay officials' incumbency.

Education must not, however, be discriminatory, with the course or degree taken completed until graduation; while both the barangay officials and their beneficiaries must have their corresponding responsibility to prove that they deserved such privilege under the conditions set forth by the amended provision.

Thus, the amendment in aforesaid provision that the beneficiaries on such privilege granted to barangay officials will also extend to their recognized illegitimate dependent children, and since scholastic education needs to be completed, the amendment also provides that the privilege shall be enjoyed beyond the tenure of the barangay officials provided it shall be to the successive maximum period of five (5) years without any break or interruption. Provided further that the loss of tenure is on the sole account of its expiration, and not for cause under election laws, civil service laws, and/or any administrative or criminal violations resulting to such loss of office.

As such, passage of this Bill is sought.


REP. EVELIO R. LEONARDIA
Lone District of Bacolod City

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AN ACT
AMENDING BOOK III (LOCAL GOVERNMENT UNIT), CHAPTER IV (THE SANGGUNIAN BARANGAY), SECTION 393 (b) (4) OF REPUBLIC ACT NO. 7160 OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991.

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

SECTION 1. Book III (Local Government Unit), Chapter IV (The Sanggunian Barangay), Section 393 (b) (4), is hereby amended to read as follows:

Section 393. Benefits of Barangay Officials –

(a) x x x x

(b) The punong barangay, the sanggunian barangay members, the barangay treasurer, and the barangay secretary shall also:

(1) x x x x x

(2) x x x x x

(3) x x x x x

(4) Be exempted during their incumbency from paying tuition fee and matriculation fees for their legitimate dependent children and/or their recognized illegitimate dependent children attending state colleges or universities. He may likewise avail of such educational benefits in a state college or university located within the province or city to which the barangay belongs. Provided further that the tuition fee and matriculation exemptions shall continue to be entitled to the herein elective and appointive barangay officials beyond their incumbency or tenure under the following conditions:

(a) The legitimate or illegitimate dependents start to enroll in, or has been attending, such state colleges or universities, during the tenure of herein barangay officials, in a scholastic course or degree to be completed for graduation in a maximum period of five (5) successive school years without

any failure or repetition on any subject in any given course or degree at any semester or school year, or the dependents shall not incur any break or interruption of their study for whatever reasons, otherwise, the scholastic privilege in this provision shall only be to the extent of the time of tenure or incumbency of the subject barangay officials.

- (b) The termination or loss of tenure of herein barangay officials is caused by the expiration of their term in an elective office or expiration of a co-terminus appointive position and not for other reasons under the election laws, criminal and/or administrative sanctions resulting to a loss of office for cause.

SECTION 3. Separability Clause. – If any provision of this Act is declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 4. Repealing Clause. – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with any provision of this Act as hereby amended or modified accordingly.

SECTION 5. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,