

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**SEVENTEENTH CONGRESS**  
First Regular Session

HOUSE BILL NO. **4066**



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Introduced by Representative **ANTONIO R. FLOIRENDO, JR.**

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**EXPLANATORY NOTE**

This bill seeks to remedy the iniquity and injustice brought about by the last paragraph of Section 285 of Republic Act 7160, otherwise known as the Local Government Code of 1991. The said paragraph provides that the financial requirements of barangays created by local government units (LGUs) after the effectivity of the Local Government Code shall be the responsibility of the LGUs concerned.

The said provision effectively precluded Barangay Tulalian in the Municipality of Sto. Tomas, Province of Davao del Norte from receiving the Internal Revenue Allotment (IRA) that other barangays are entitled to have under normal circumstances. Brgy. Tulalian was created by virtue of Provincial Ordinance No. 007-94, series - 1994, enacted and passed by the Sangguniang Panlalawigan on 20 July 1994.

The barangays are regarded as the basic political unit of government. It serves as the primary planning and frontline implementing unit of government policies, plans, programs, projects, and activities in the community.

Article II, Section 24 of the Philippine Constitution provides that the State shall ensure the autonomy of local governments. Relative thereto, the Local Government Code also declares under Section 2 that it is the policy of the State that its territorial and political subdivisions shall enjoy genuine and meaningful local autonomy to enable them to attain development as self-reliant communities thus making them effective partners in the attainment of national goals. However, barangay affairs and operations entail expenditures which sometimes prove expensive and quite costly.

The provision found in Section 285 of Republic Act 7160 ultimately deprives some barangays of their just and rightful share in the national taxes, as in this case it does so with Brgy. Tulalian.

Accordingly, this humble Representation feels compelled to file and introduce this bill hoping that absent and pending an amendment to the said iniquitous provision of the Local Government Code, a more expedient remedy shall be availed of for the said non-IRA barangay to level the field of opportunity amongst equals through an act of Congress.

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



ANTONIO R. FLOIRENDO, JR.

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**AN ACT CREATING A BARANGAY TO BE KNOWN AS BARANGAY TULALIAN  
IN STO. TOMAS, PROVINCE OF DAVAO DEL NORTE**

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

**SECTION 1.** – *Creation of Barangay Tulalian* – There is hereby created a barangay to be known as Barangay Tulalian in the Municipality of Sto. Tomas, Province of Davao del Norte.

The technical description of Barangay Tulalian, as provided for in Provincial Ordinance No. 007-94, Series – 1994, shall be as follows:

“Beginning at a point marked ‘1’ on the plan

|        |               |                          |
|--------|---------------|--------------------------|
| being  | S 85° - 00' E | 8,020 meters to point 2  |
| Thence | N 02° - 50' W | 1,300 meters to point 3  |
| Thence | S 88° - 50' W | 8,005 meters to point 4  |
| Thence | S 03° - 00' E | 1,900 meters to point of |

beginning, containing an area of One Thousand Two Hundred Eighty-Two (1,282) has., more or less.”

**SEC. 2.** – *Conduct and Supervision of Plebiscite* – The plebiscite conducted and supervised by the Commission on Elections (COMELEC) pursuant to Provincial Ordinance No. 007-94, Series – 1994, which was enacted and passed by the Sangguniang Panlalawigan on 20 July 1994, which ratified the creation of Barangay Tulalian as proclaimed by the Plebiscite Board of Canvassers on 23 October 1994, shall serve as a substantial compliance with the plebiscite requirement under Section 10 of Republic Act No. 7160 as amended, otherwise known as the Local Government Code of 1991.

**SEC. 3.** – *Barangay Officials* – The incumbent elected barangay officials of Barangay Tulalian in the Municipality of Sto. Tomas, Province of Davao del Norte shall continue to hold office until such time that their successors have been duly elected and qualified.

**SEC. 4. – *Public Infrastructure and Facilities*** – All existing public infrastructures and facilities for public use existing therein at the time of the approval of this Act are hereby transferred without cost or compensation to and shall be administered by the new barangay.

**SEC. 5. – *Internal Revenue Allotment Share*** – Barangay Tulalian shall be entitled to Internal Revenue Allotment shares pursuant to Section 285 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

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

*Approved,*