



Republic of the Philippines
House of Representatives
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session
HOUSE BILL No. 7704



Introduced by REP. ALFREDO A. GARBIN, Jr., REP. RODEL M. BATOCABE and
REP. CHRISTOPHER S. CO

**AN ACT AMENDING REPUBLIC ACT 10742 OR THE “SANGGUNIAN KABATAAN
REFORM ACT OF 2015”**

EXPLANATORY NOTE

This bill seeks to amend Republic Act 10742 or the “*Sangguniang Kabataan Reform Act of 2015*” to prevent circumvention of the anti-dynasty provision in the said bill, through voluntary resignation or renunciation of an incumbent government official to allow his or her relative within the second degree of consanguinity or affinity to validly run for a position in the *Sangguniang Kabataan*.

Section 10 of RA 10742 sets as one of the qualifications for an aspirant official of the *Sangguniang Kabataan* is that he or she “must not be related within the second civil degree of consanguinity or affinity to any incumbent elected national official or to any incumbent elected regional, provincial, city, municipal, or barangay official, in the locality where he or she seeks to be elected.”

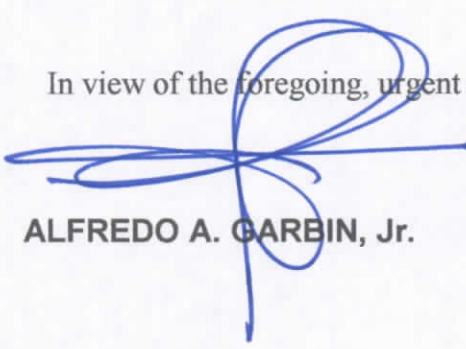
One of the apparent weak points of the anti-dynasty provision of RA 10742 is that the prohibition is contingent with the fact of incumbency. This means that it only applies to relatives of elected government officials who are “currently holding office.”

When an elected government official resigns before filing of the certificate of candidacy for *Sangguniang Kabataan* election, he ceases to be an incumbent and thus takes him out of the coverage of the anti-political dynasty provision in RA 10742. This means that a three-term Barangay Chairman who is about to “graduate” can conveniently resign a few months before the end of his term so his son or close relative can run for SK chairman. This notwithstanding the provision in Section 43(b) of the Local Government Code which provides that “voluntary renunciation of the 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 concerned was elected.”

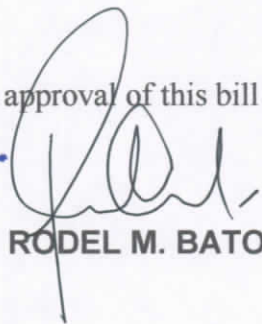
This deplorable act of voluntarily renouncing an elected office before the filing of Certificates of Candidacy for *Sangguniang Kabataan* election is aggravated by the damage done to that incumbent’s office, causing disruption and interruption of the delivery of public service to the constituents.

With the enactment of this law, the voluntary renunciation of office of a government official in the Barangay or Municipality, before the next *Sangguniang Kabataan* election, shall not affect the prohibition provided in RA 10742. We set the one-year period as a penalty or sanction to the renouncing incumbent for his act of circumventing the anti-political dynasty provision spelled out in RA 10742.

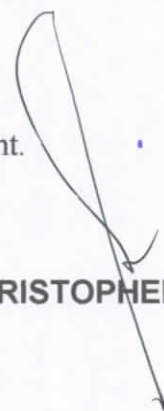
In view of the foregoing, urgent approval of this bill is earnestly sought.



ALFREDO A. GARBIN, Jr.



RODEL M. BATOCABE



CHRISTOPHER S. CO

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

SECTION 1. Section 10 of RA 10742 or the “Sangguniang Kabataan Reform Act of 2015”
is hereby amended to read as follows:

SEC. 10. Qualifications. – An official of the Sangguniang Kabataan, either
elective or appointee, must be a citizen of the Philippines, a qualified voter of
the Katipunan ng Kabataan, a resident of the barangay for not less than one
(1) year immediately preceding the day of the elections, at least eighteen (18)
years but not more than twenty-four (24) years of age on the day of the
elections, able to read and write Filipino, English, or the local dialect, must not
be related within the second civil degree of consanguinity or affinity to any
incumbent elected national official or to any incumbent elected regional,
provincial, city, municipal, or barangay official, in the locality where he or she
seeks to be elected, and must not have been convicted by final judgment of
any crime involving moral turpitude. **Provided, that an elected government
official who voluntarily renounces his office within one (1) year before
the next Sangguniang Kabataan election, shall be deemed an incumbent
for purposes of this Section.**

SECTION 2. Separability Clause – Should any provision of this Act be declared
unconstitutional, the remainder thereof not otherwise affected shall remain in full force
and effect.

SECTION 3. Repealing Clause. – All other existing laws, presidential decrees, executive
orders, proclamations or administrative regulations that are inconsistent with the
provisions of this Act are hereby repealed, amended or modified accordingly.

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

Approved,