

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

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. **7063**



Introduced by
SENIOR CITIZENS Party-List REP. FRANCISCO G. DATOL, JR. and
REP. FERDINAND MARTIN G. ROMUALDEZ

EXPLANATORY NOTE

The right of suffrage under Section 1, Article V of the 1987 Philippine Constitution is one of the most heavily guarded right of Filipinos. Jurisprudence is replete with examples of how our society has proscribed any actual or constructive restraint against the exercise of the right of suffrage to prevent disenfranchisement of voters.

In *People v San Juan*,¹ then Justice Castro opined that the "*right of suffrage must remain undefiled at the starting level of its expression and application, every assumption must be indulged in and every guarantee adopted to assure the unmolested exercise of the citizen's free choice. For to impede, without authority valid in law, the free and orderly exercise of the right of suffrage is to inflict the ultimate indignity on the democratic process.*"

Accordingly, a crucial element in the exercise of one's right of suffrage is one's registration as a voter since in our jurisdiction non-registration will prevent one from exercising their right of suffrage. Thus, the government must ensure an enabling environment for people to register as voters.

¹ *People v. San Juan*, G.R. No. L-22944, February 10, 1968.

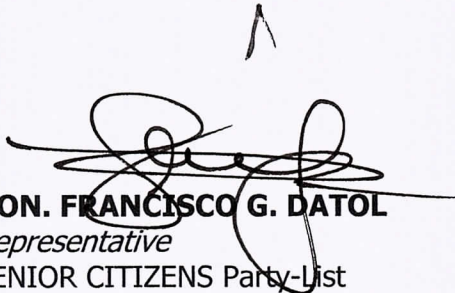
However, the Coronavirus disease 2019 ("COVID-19") has brought numerous obstacles over the efforts of the Commission on Elections ("COMELEC") to secure voter's registration. Public health considerations and existing protocols have led to the COMELEC's suspension of its physical voter registration efforts.

With no immediate end for the COVID-19 pandemic in sight, it is believed that rather than wait for the pandemic to end, the COMELEC should be pro-active and adopt innovative measures, such as online voter's registration, to facilitate voter's registration during the COVID-19 pandemic and for it continually fulfill its mandate of protecting the Filipino's right of suffrage.

By adopting a system for online voter's registration, we do not just make our electoral system more resilient to unexpected calamities such as the COVID-19 pandemic but we also create a system that provides the Filipino electorate and our government an efficient, convenient, and cost-effective mechanism for voter's registration in the long term.²

Thus, as our country nears the date of the next election and as it continues to grapple with the uncertainty brought about by the COVID-19 pandemic, it becomes indispensable for our government to innovate the means by which voter's registration is conducted in our country.

In view of this, the passage of the bill is sought.


HON. FRANCISCO G. DATOL
Representative
SENIOR CITIZENS Party-List


HON. FERDINAND G. ROMUALDEZ
Representative
First District of Leyte

² The Pew Charitable Trusts (2015), Online Voter Registration: Trends in development and implementation, retrieved from https://www.pewtrusts.org/~media/Assets/2015/05/OVR_2015_brief.pdf?la=en on 06 July 2020.

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**AN ACT ADOPTING A SYSTEM OF ONLINE REGISTRATION OF VOTERS,
AMENDING FOR THIS PURPOSE SECTION 8 AND 10 OF REPUBLIC ACT (R.A.)
NO. 8184, OTHERWISE KNOWN AS THE "THE VOTER'S REGISTRATION ACT
OF 1996"**

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

Section 1. Section 8 of R.A. No. 8184, is hereby amended to read as follows:

'Sec. 8. System of Continuing Registration of Voters. - The personal or electronic filing of application of registration of voters shall be conducted daily in the office of the Election Officer during regular office hours or through the official website for such purpose as designated by the Commission. No registration shall, however, be conducted during the period starting one hundred twenty (120) days before a regular election and ninety (90) days before a special election."

Section 2. Section 10 of R.A. No. 8184, is hereby amended to read as follows:

"Sec. 10. Registration of Voters. - A qualified voter shall be registered in the permanent list of voters in a precinct of the city or municipality wherein he resides to be able to vote in any election. To register as a voter, he shall personally or electronically accomplish an application form for registration as prescribed by the Commission in three (3) copies before the Election Officer on any date during office hours or through the official website for such purpose as designated by the Commission after having acquired the qualifications of a voter.

The application shall contain the following data:

- a. Name, surname, middle name, and/or maternal surname;
- b. Sex;
- c. Date, and place of birth;
- d. Citizenship;
- e. Civil status, if married, name of spouse;
- f. Profession, occupation or work
- g. Periods of residence in the Philippines and in the place of registration;
- h. Exact address with the name of the street and house number for location in the precinct maps maintained by the local office of the Commission, or in case there is none, a brief description of his residence, sitio, and barangay;
- i. A statement that the applicant possesses all the qualifications of a voter;
- j. A statement that the applicant is not a registered voter of any precinct; and
- k. Such information or data as may be required by the Commission.

The application for registration shall contain three (3) specimen signatures of the applicant, clear and legible rolled prints of his left and right thumbprints, with four (4) identification size copies of his latest photograph, submitted personally or through electronic means, attached thereto, to be taken at the expense of the Commission.

Before the applicant accomplishes his application for registration, the Election Officer shall personally or electronically inform him of the qualifications and disqualifications prescribed by law for a voter, and

thereafter, see to it that the accomplished application contains all the data therein required and that the applicant's specimen signatures, fingerprints, and photographs are properly affixed in all copies of the voter's application.

In case of online submission of a completed voter's registration by an individual, the Commission shall send the individual a notice confirming the Commission's receipt of the application and providing instructions on how the individual may check the status of the application.

Furthermore, the Commission shall employ security measures which are necessary to ensure the accuracy and integrity of electronically submitted voter registration applications"

Section 3. *Implementing Rules and Regulations.* – Within sixty (30) days from the effectivity of this Act, the Commission on Elections, in consultation with Department of Information and Communications Technology, Department of Science and Technology, Department of Interior and Local Government, National Commission for Senior Citizens, and other stakeholders shall promulgate the rules and regulations for the effective implementation of this Act.

Section 4. *Separability Clause.* – If for any reason any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

Section 5. *Repealing Clause.* – Section 8 and 10 of R.A. No. 8184, as amended is hereby repealed. All laws, decrees, executive orders, rules and regulations, and other issuances or parts thereof, that are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

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

Approved.