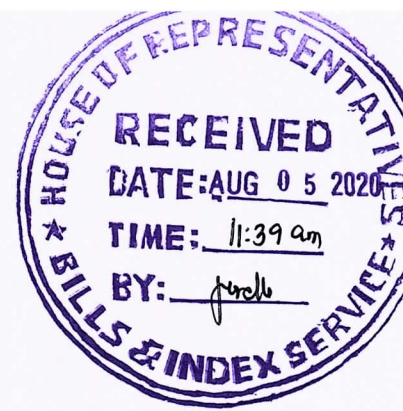


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL No. 7276



Introduced by Representative HORACIO P. SUANSING, JR.

EXPLANATORY NOTE

This bill seeks to create Barangay Legodon, under the municipality of Esperanza, Province of Sultan Kudarat, as a separate and regular Tribal Barangay created pursuant to Section 386 (a) of RA 7160 as amended, otherwise known as the Local Government Code of 1991, in connection with Section 18 of R.A. 8371 or the Indigenous Peoples Rights Act of 1997.

On June 4, 2009, Barangay Legodon was created by the Provincial Government of Sultan Kudarat by adopting Resolution No. 21-11th-SP-'09 of the Sangguniang Panlalawigan enacting Ordinance No. 01-09, through the recommendation of the Sangguniang Bayan of Esperanza. It is composed of fifteen (15) Puroks including Legodon, Topos, Mangayao, Tudi, Bungo-bungo, Apus Kisanay, Dapulan, Tudoc Midulow, Atir, Kesiyor, Baklag, Mokedapang, Tigbowen, Nabugsudan, and Kitakal.

According to Section 386(a) of RA 7160 or the Local Government Code, a Barangay may be created either by law or by an ordinance. It provides:

*A barangay may be created, divided, merged, abolished, or its boundary substantially altered, **by law or by an ordinance** of the Sangguniang Panlalawigan or Sangguniang Panlungsod, subject to approval by a majority of the votes cast in a plebiscite to be conducted by the Comelec in the local government unit or units directly affected within such period of time as may be determined by the law or ordinance creating said Barangay. In the case of the creation of Barangays by the Sangguniang Panlalawigan, the recommendation of the Sangguniang Bayan concerned shall be necessary.*

However, Section 285 of the same Code also provides that “the financial requirements the barangay created by local government units after the effectivity of the Local Government Code shall be the responsibility of the local government units concerned.” Thus, Barangay Legodon, which was created through an ordinance, had never received a share from the Internal Revenue Allotment (IRA) of barangays. The lack of IRA share has caused financial challenges to the Barangay and impeded the effective discharge of its duties and responsibilities to support the needs of its constituents, as well to provide the basic social services mandated by law.

This bill calls for the recreation of Barangay Legodon in the Municipality of Esperanza, Province of Sultan Kudarat as a government unit pursuant to Section 385 of the Local Government Code of 1991, thereby entitling the same to IRA shares allocated to barangays under the law.

The immediate approval of this bill is earnestly sought.

A handwritten signature in black ink, consisting of a large, stylized 'H' followed by a long horizontal stroke.

HORACIO P. SUANSING, JR.
2nd District of Sultan Kudarat

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL No. 7276

Introduced by Representative HORACIO P. SUANSING, JR.

**AN ACT CREATING BARANGAY LEGODON IN THE MUNICIPALITY OF
ESPERANZA, PROVINCE OF SULTAN KUDARAT**

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

SECTION 1. Creation of Barangay Legodon – There is hereby created a barangay to be known as Barangay Legodon in the Municipality of Esperanza, Province of Sultan Kudarat.

SECTION 2. Conduct and Supervision of Plebiscite – The plebiscite conducted and supervised by the Commission on Elections (COMELEC) pursuant to Provincial Ordinance No. 1 of the Sangguniang Panlalawigan of the Province of Sultan Kudarat, which ratified the creation of Barangay Legodon as proclaimed on November 12, 1994 shall serve as substantial compliance with the plebiscite requirement under Section 10 of Republic Act No. 7160 or the Local Government Code of 1991, as amended.

SECTION 3. Incumbent Barangay Officials – The incumbent barangay officials of Barangay Legodon, Municipality of Esperanza, Province of Sultan Kudarat, shall continue to hold office until such time that their successors have been duly elected and qualified.

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

SECTION 5. Internal Revenue Allotment Shares – Barangay Legodon shall be entitled to Internal Revenue Allotment (IRA) shares pursuant to Section 285 of Republic Act No. 7160 as amended, otherwise known as the Local Government Code of 1991.

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

Approved,