

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

Eighteenth Congress
Second Regular Session

HOUSE BILL NO. 7930



Introduced by Representative DAN S. FERNANDEZ

EXPLANATORY NOTE

In the past few months, a number of states in the US have been exploring the advantages of postal or mail-in voting, also known as vote-by-mail, to avoid the possible Covid-19 health risks associated with large crowds at polling places. As a result of the pandemic, there has been extensive fears about long and slowly-moving lines and big crowds at polling places. Of serious and special concern is the welfare of the elderly, the handicapped and the sick who are most vulnerable to the contagion.

Apart from the avoidance of the health risks associated with Covid, the availability of postal voting also has other advantages. It can reduce staff requirements at polling centers during an election. It can also save a lot of money and man-hours considering the great distances that citizens in some instances would have to spend in going back to the places where they are registered voters. But most importantly perhaps, research has shown that mail-in voting increases voter turnout. It has been found out that some segments of the population typically vote in lower numbers. This includes young people, low-income people, minorities and those without access to transportation. With the ease of voting to be provided by vote-by-mail, there exists an incentive for greater democratic participation on the part of our people (even if we factor-in only the targeted groups of beneficiaries under this bill, namely, the sick, the handicapped and the elderly).

In the United States, as of July 2020, five states – Colorado, Hawaii, Oregon, Utah and Washington – hold elections almost entirely by mail. Postal voting is an option in 33 states and the District of Columbia. Other states allow postal voting only in certain circumstances, though the Covid-19 pandemic this year has prompted further discussion about

relaxing some of those restrictions. In spite of the objections on the part of some sectors, there has been little or negligible proof that mail-in voting increases the likelihood of fraud. In any case, researches have shown that the advantages of vote-by-mail far outweigh the disadvantages, real or imagined, of the system.

Needless to state, the “new normal” compels us to adopt new paradigms or ways of doing things in order to sustain, if not reignite, our democratic way of life. And there is no better way of going about this than to adopt the best practices which have been time-tested in other jurisdictions.

For the foregoing reasons, and in view of the necessity of giving the Commission on Elections ample lead time to prepare new systems in the run-up to the 2022 elections, the approval of this bill, at the earliest possible time, is earnestly requested.

A handwritten signature in black ink, appearing to read 'Dan S. Fernandez', with a large, stylized initial 'D' and a long, sweeping horizontal stroke extending to the right.

HON. DAN S. FERNANDEZ

First District of Laguna

Republic of the Philippines
HOUSE OF REPRESENTATIVES
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Introduced by Representative DAN S. FERNANDEZ

AN ACT
PROVIDING FOR POSTAL OR MAIL-IN VOTING FOR SENIOR
CITIZENS, THE HANDICAPPED, THE SICK AND LOCALLY
STRANDED INDIVIDUALS IN TIMES OF PUBLIC HEALTH
EMERGENCIES OR STATES OF CALAMITY

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

SECTION 1. *Declaration of Policy.* – The State shall ensure the free exercise of the right of suffrage by all citizens of the Philippines not otherwise disqualified by law.

SEC. 2. *Postal or Mail-in Voting System.* - The Commission on Elections shall adopt and implement a postal or mail-in voting system in times of public health emergencies or states of calamity for the benefit of senior citizens, the handicapped, the sick and locally stranded individuals who are duly registered voters and who, on election day, may not be able to vote due to high risk of infection or physical impossibility.

SEC. 3. *Definition.* – As used in this Act, postal or mail-voting refers to a form of absentee voting in which a ballot is mailed to the home of a registered voter, who fills out and returns it by postal mail or drops it off in-person or by a representative into a secure drop box or at a voting center. For instances of postal mail, the State shall allocate the necessary funds for the payment of postage.

SEC. 4. *Applicability.* – This Act shall apply in all local, national and overseas balloting as well as to all national referenda and plebiscites.

SEC. 5. *Implementing Rules and Regulations.* – The Commission on Elections shall, within ninety (90) days from the effectivity of this Act, promulgate the implementing rules and regulations for the effective implementation thereof.

SEC. 6. *Appropriations.* – The initial funding of this Act shall be charged against the current year's appropriations or from any available savings of the Commission on Elections. Thereafter, such amount as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 7. *Repealing Clause.* – All laws, presidential decrees, executive orders, resolutions, rules and regulations, other issuances, and parts thereof, which are inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 8. *Effectivity.* - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in any newspaper of general circulation.

Approved,