

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
EIGHTEENTH CONGRESS
2nd Regular Session
HOUSE BILL NO. 9242



Introduced by Hon. Julianne “Jam” L. Baronda

EXPLANATORY NOTE

This bill seeks to be the counterpart measure of Senate Bills 1088, 1226, and 1401 which seeks to amend RA 10742 or the Sangguniang Kabataan (SK) Reform Act of 2015.

If passed, the Sangguniang Kabataan stands to benefit from this bill as this will give them numerous benefits. For one, this bill will finally give our hard working SK members the compensation that they deserve. Presently, only SK chairpersons are given honoraria as ex - officio members of the Sangguniang Barangays but with this bill, all members will now be entitled to the grant of honoraria.

In addition to this, this measure will elevate the competency of the SK Officials by requiring educational backgrounds on key positions such as SK treasurer. Under this bill, an SK Treasurer should have an educational and/career background in either of the fields of business administration, accountancy, finance, economics, or book keeping.

Equally important is the support and recognition that this bill seeks to give to our SK Officials. The bill provides for student stipends, book and education allowance, skills training and many more to support the growth of our youth. Also worthy of mentioning is the grant of Civil Service Eligibility to those officials who will render full terms of service.

Based on the foregoing, the passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to be "Jam L. Baronda".

Julianne “Jam” L. Baronda

District Representative

Lone District of Iloilo City

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AN ACT TO FURTHER EMPOWER THE MEMBERS OF THE SANGGUNIANG KABATAAN (SK) BY AMENDING CERTAIN PROVISIONS IN REPUBLIC ACT NO. 10742, OTHERWISE KNOWN AS THE “SANGGUNIANG KABATAAN REFORM ACT OF 2015”

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

SECTION 1. Section 8 of the Republic Act 10742, otherwise known as the “Sangguniang Kabataan Reform Act of 2015”, is hereby amended to read as follows:

“Sec. 8. Powers and Functions of the Sangguniang Kabataan- Sangguniang Kabataan shall:

(a) x x x;

(b)

xxx

(e) Hold fund-raising activities which are in line with the Comprehensive Barangay Youth Development Plan, the proceeds of which shall be tax-exempt and shall accrue to the general fund of the Sangguniang Kabataan: Provided, however, that in the appropriation thereof, the specific purpose for which such activity has been held shall be first satisfied: Provided, further, that any appropriation thereof shall be in accordance with existing applicable budget, accounting and auditing rules and regulations, **SUCH AS THOSE ISSUED BY THE DEPARTMENT OF BUDGET AND MANAGEMENT (DBM) AND THE COMMISSION ON AUDIT (COA);**

(j) WITHIN SIXTY (60) DAYS FROM THEIR ASSUMPTION TO OFFICE; THE SANGGUNIANG KABATAAN SHALL: 1) FORMULATE AND APPROVE ITS INTERNAL RULES AND PROCEDURES; 2) APPOINT ITS SECRETARY AND TREASURER AND; 3) SET THE SCHEDULE OF REGULAR

(k) Exercise such other powers and perform such other functions as may be prescribed by law or ordinance, or delegated by the Sangguniang Barangay or the Commission.

SECTION 2. Section 10 of Republic Act No. 10742 is hereby further amended to read as follows:

"Sec. 10. Qualifications. - An official of the Sangguniang Kabataan, either **ELECTED** or **APPOINTED** 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 THE SANGGUNIANG KABATAAN TREASURER MUST BE AT LEAST EIGHTEEN (18) YEARS BUT NOT MORE THAN THIRTY (30) YEARS OF AGE ON THE DAY OF THE ELECTIONS: PROVIDED FURTHER, THAT THE SANGGUNIANG KABATAAN CHAIRPERSON SHALL APPOINT A TREASURER WITH AN EDUCATIONAL, AND/OR CAREER BACKGROUND RELATING TO BUSINESS ADMINISTRATION, ACCOUNTANCY, FINANCE, ECONOMICS, OR BOOKKEEPING: PROVIDED FURTHERMORE, THAT ONLY IF NO PERSON MEETS THE REQUIREMENTS CAN THE SK CHAIRPERSON CONSIDER OTHER SUITABLE NOMINEES: PROVIDED FINALLY, THAT APPOINTED SK TREASURERS SHALL UNDERGO A MANDATORY BOOKKEEPING TRAINING FROM THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA) BEFORE ASSUMPTION OF OFFICE.**

SECTION 3. Sec. 15 of the same Act is hereby amended to read as follows:

"SEC. 15. Sangguniang Kabataan Treasurer. - The Sangguniang Kabataan treasurer, **WHO SHALL BE A BONDED OFFICER,** shall:
x x x."

SECTION 4. Sec. 16 of the same Act is hereby amended to read as follows:

“Sec. 16. Privileges of Sangguniang Kabataan Officials, - (a) All Sangguniang Kabataan officials in good standing, whether elected or appointed, shall, during their incumbency:

“(1) x x x;

(2) BE EXEMPT FROM TAKING ANY OF THE COMMENTS OF THE NATIONAL SERVICE TRAINING PROGRAM (NSTP);

x x x

“(5) The Sangguniang Kabataan chairperson shall have the same privileges enjoyed by other Sangguniang Barangay officials under this Act subject to such requirements and limitations provided herein;

(6) THE SANGGUNIANG KABATAAN MEMBERS, INCLUDING THE SANGGUNIANG KABATAAN TREASURER AND SECRETARY, SHALL RECEIVE A MONTHLY HONORARIUM, CHARGEABLE AGAINST THE SANGGUNIANG KABATAAN FUNDS, IN ADDITION TO ANY OTHER COMPENSATION PROVIDED BY THIS ACT AND SHALL BE GRANTED AT THE END OF EVERY REGULAR MONTHLY SANGGUNIANG KABATAAN MEETING: PROVIDED, THAT NOT MORE THAN 25% OF THE SANGGUNIANG KABATAAN FUNDS SHALL BE ALLOCATED FOR PERSONNEL SERVICES. THE DBM SHALL ISSUE THE NECESSARY GUIDELINES IMPLEMENTING THIS PROVISION.

THE LOCAL GOVERNMENT UNITS MAY PROVIDE ADDITIONAL HONORARIUM TO THE SANGGUNIANG KABATAAN CHAIRPERSON AND ELECTED AND APPOINTED MEMBERS THROUGH THEIR OWN LOCAL ORDINANCES: PROVIDED, THAT THE HONORARIUM AS STATED IN THIS SECTION SHALL BE SUBJECT TO THE POST-AUDIT JURISDICTION OF THE COMMISSION ON AUDIT (COA);

(7) BE ENTITLED TO APPROPRIATE CIVIL SERVICE ELIGIBILITY, PURSUANT TO RULES AND REGULATIONS ISSUED BY THE CIVIL SERVICE COMMISSION: PROVIDED, THAT THE SK OFFICIAL HAS RENDERED THEIR FULL TERM OF OFFICE; AND

(8) The Sangguniang Kabataan chairperson shall have the same privileges enjoyed by other Sangguniang Barangay Officials under this Act subject to such requirements and limitations provided herein.

SECTION 5. Sec. 19 of the same Act is hereby amended to read as follows:

“Sec. 19. Succession and Filling up of Vacancies - (a) In case a Sangguniang Kabataan chairperson refuses to assume office, fails to qualify, voluntarily resigns, dies, is permanently incapacitated, is removed from office, the Sangguniang Kabataan member who obtained the highest number of votes in the election immediately preceding shall assume the office of the chairperson, for the unexpired portion of his or her term. In case said member refuses to assume the position or fails to qualify, the Sangguniang Kabataan member obtaining the next highest number of votes shall assume the position of the chairperson for the unexpired portion of the term: **PROVIDED, THAT, IF THE REASON FOR THE VACANCY DOES NOT FALL UNDER THE CONDITIONS STATED ABOVE, THE MAYOR OF THE CONCERNED BARANGAY SHALL APPOINT AN OFFICER-IN-CHARGE (OIC) FROM A LIST OF AT LEAST THREE (3) NOMINEES AS SUBMITTED BY THE SANGGUNIANG KABATAAN MEMBERS: PROVIDED, FURTHER, THAT THE APPOINTED OIC MUST MEET THE QUALIFICATIONS SET UNDER SECTION 10 OF THIS ACT.**

x x x.”

SECTION 6. Section 20 of the Republic Act 10742 is hereby further amended to read as follows:

“SEC. 20. Sangguniang Kabataan Funds - The Sangguniang Kabataan funds shall be governed by the following provisions:

- (a) All the income of the barangay derived from whatever source shall accrue to its general fund and all, at the option of the barangay concerned, be kept as trust fund in the custody of the city or municipal treasurer or be disposed in a bank preferably government-owned, situated in or nearest to its area of jurisdiction. Such funds shall be disbursed in accordance with the provisions of thi Act. Ten percent (10%) of the general fund of the barangay shall be set aside for the Sangguniang Kabataan. The Sangguniang Barangay shall appropriate the Sangguniang Kabataan funds in lump-sum which shall be disbursed for youth development and empowerment purposes;
- (b) x x x;
- (c) All Sangguniang Kabataan funds shall be allocated in an annual budget, and if the funds allow, in supplement budget in accordance with the adopted Annual Barangay Investment Program. Both the Comprehensive Barangay Youth Development Plan and Annual barangay Investment Program shall give priority to programs, projects and activities that will promote and **ATTAIN THE THRUSTS OF THE PHILIPPINE YOUTH DEVELOPMENT PLAN SUCH AS HEALTH, EDUCATION, ENVIRONMENT, GLOBAL MOBILITY, ACTIVE CITIZENSHIP, GOVERNANCE, SOCIAL EQUITY AND INCLUSION, PEACE-BUILDING AND SECURITY, AND ECONOMIC EMPOWERMENT, SUCH AS:**

1. STUDENT STIPENDS, FOOD, BOOK AND TRANSPORTATION ALLOWANCES, AND OTHER EDUCATIONAL ASSISTANCE PROGRAMS THAT WILL REDUCE THE INCIDENCE OF OUT-OF-SCHOOL YOUTH AND DROP-OUTS
2. SPORTS AND WELLNESS PROJECTS TO ADDRESS PHYSICAL AND MENTAL HEALTH, TEENAGE PREGNANCY, SUBSTANCE ABUSE, AND OTHER HEALTH ISSUES;
3. SKILLS TRAINING, SUMMER EMPLOYMENT, CASH-FOR-WORK, ON-THE-JOB, AND LIVELIHOOD ASSISTANCE;
4. PROJECTS PROMOTING THE PARTICIPATION OF THE YOUTH AND THEIR INITIATION IN AGRICULTURAL, FISHERY, AND FORESTRY ENTERPRISES;
5. PROGRAMS AND ACTIVITIES THAT WILL LOCAL THE YOUTH AT THE FOREFRONT OF ENVIRONMENT PROTECTION AN CONSERVATION EFFORTS, AND ENLIST THEIR INVOLVEMENT IN CALAMITY PREPAREDNESS, INFORMATION DISSEMINATION AND OTHER DISASTER-RELATED ACTIVITIES; AND
6. CAPACITY-BUILDING FOR GRASSROOTS ORGANIZATION AND LEADERSHIP;

(d) x x x; AND

(e) THE SK SHALL SET ASIDE AN AMOUNT FOR THE SK MANDATORY AND CONTINUING TRAININGS TO COMPLEMENT THE TRAINING FUND HEREIN PROVIDED UNDER SEC. 29. THE TOTAL AMOUNT APPROPRIATED FOR TRAINING SHALL NOT BE MORE THAN FIFTEEN PERCENT (15%) OF THE SK FUND.”

SECTION 7. Section 21 of Republic Act 10742 is hereby further amended to read as follows:

“SEC. 21 Pederasyon ng Sangguniang Kabataan. - (a) There shall be an organization of the Pederasyon ng mga Sangguniang Kabataan to be known as follows:

(1) xxx

(3) xxx

(d) **DUTIES AND FUNCTIONS OF THE SK PEDERASYON. - THE SK PEDERASYON AND THE LOCAL YOUTH DEVELOPMENT (LYDC) SHALL DRAFT THE LOCAL YOUTH DEVELOPMENT PLAN (LYDP). THE PEDERASYON AND THE LYDC SHALL CONVENE QUARTERLY TO ENSURE IMPLEMENTATION OF THE LYDP**

AND ALIGNMENT OF COMPREHENSIVE BARANGAY YOUTH DEVELOPMENT PROGRAM AND ANNUAL BARANGAY YOUTH INVESTMENT PROGRAM TO THE LYDP. THE PEDERASYON SHALL ALSO CASCADE INFORMATION AND FACILITATE KNOWLEDGE TRANSFER TO THEIR RESPECTIVE LOCALITIES.”

SECTION 8. Section 25 of the Republic Act 10742 is hereby amended to read as follows:

“SEC. 25. Creation - There shall be in every province, city and municipality a Youth Development Office which shall be headed by a youth development officer with a rank of at least division chief. Such may be put under the Office of the Local Chief Executive, the Office of the Planning and Development, the Office of the Social Welfare, or in any other office deemed appropriate by the local government unit. If the funds of the local government unit are sufficient, it can be a separate department with divisions and units for policy and planning, administration and finance, and programs and operations. In the event when the local government unit has exceeded the prescribed personal services limitations, the local chief executive may designate existing personnel whom he or she deems fit to serve this purpose, **PROVIDED, THAT A LOCAL YOUTH DEVELOPMENT OFFICER SHALL BE APPOINTED WITHIN ONE (1) YEAR FROM THE EFFECTIVITY OF THIS ACT. IN COMPLIANCE WITH THE SEAL OF GOOD LOCAL GOVERNANCE ACT OF 2019, FAILURE TO CREATE THE LOCAL YOUTH DEVELOPMENT OFFICE AND APPOINT THE YOUTH DEVELOPMENT OFFICER SHALL BE GROUNDS FOR ADMINISTRATIVE LIABILITIES OF THE LOCAL PERSONNEL SELECTION BOARD AND LOCAL CHIEF EXECUTIVE.”**

SECTION 9. Section 26 of Republic Act 10742 is hereby amended to read as follows:

“SEC. 26. Funding. - **THE LOCAL GOVERNMENT UNIT SHALL APPROPRIATE NOT LESS THAN 1% OF ITS ANNUAL BUDGET FOR THE LOCAL YOUTH DEVELOPMENT OFFICE, WHICH SHALL BE USED FOR THE IMPLEMENTATION OF THE LOCAL YOUTH DEVELOPMENT PLAN, CONVENING THE MEETINGS OF THE CONCERNED PEDERASYON NG MGA SANGGUNIANG KABATAAN AND LOCAL YOUTH DEVELOPMENT COUNCIL, AS WELL AS ITS OPERATIONS AND EFFECTIVE FUNCTIONING.”**

SECTION 10. Funding and Appropriations. - The amounts necessary to carry out the implementation of this Act shall be charged against the Sangguniang Kabataan Funds or as may be authorized by the local government units pursuant to Section 4 of this Act.

SECTION 11. Implementing Rules and Regulations. - The Department of Interior and Local Government (DILG), the Department of Budget and Management (DBM), the Commission on

Elections (COMELEC), the National Youth Commission (NYC), and other concerned government agencies shall promulgate the necessary implementing rules and regulations within sixty (60) days upon the effectivity of this Act.

SECTION 12. Separability Clause. - If any provision of this Act is declared invalid or unconstitutional, the other provisions not affected thereby shall continue to be in full force and effect.

SECTION 13. Repealing Clause. - All laws, decrees, executive orders or rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 14. 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,