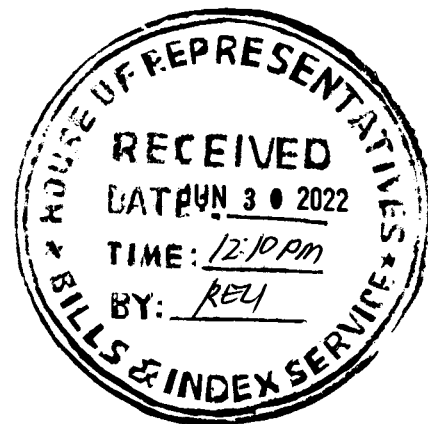




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



NINETEENTH CONGRESS
First Regular Session

22
HOUSE BILL NO. _____

**Introduced by Representatives FERDINAND MARTIN G. ROMUALDEZ,
YEDDA MARIE K. ROMUALDEZ and JUDE A. ACIDRE**

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.

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 proactive and adopt innovation measures, such as online voter's registration, to facilitate voter's registration during the COVID-19 pandemic and for it to continually fulfill its mandate of protecting the Filipino's right of suffrage.

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

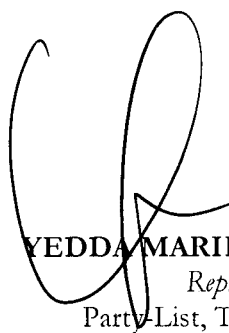
By adopting a system for online voter's registration, we do not just make our electoral system more resilient to unexpected calamities such as the COVID-19 pandemic but we also create a system that provides the Filipino electorate and our government an efficient, convenient, and cost-effective mechanism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

In view of all these, the passage of this bill is earnestly sought.



FERDINAND MARTIN G. ROMUALDEZ
Representative

First District, Leyte



YEDDA MARIE K. ROMUALDEZ
Representative
Party-List, Tingog Sinirangan



JUDE A. ACIDRE
Representative
Party-List, Tingog Sinirangan

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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HOUSE BILL NO. 22

Introduced by Representatives **FERDINAND MARTIN G. ROMUALDEZ,**
YEDDA MARIE K. ROMUALDEZ and **JUDE A. ACIDRE**

AN ACT
STRENGTHENING THE PROCEDURE FOR REGISTRATION OF VOTERS AND
ADOPTING A SYSTEM OF ONLINE REGISTRATION, AMENDING FOR THE
PURPOSE SECTIONS 2, 3, 8, 9, 10, 12, 13, 22, 23, 24, 27, 29, 32, 33 AND 45 OF
REPUBLIC ACT NO. 8189, OTHERWISE KNOWN AS THE “VOTER’S
REGISTRATION ACT OF 1996”

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

1 **SECTION 1.** Section 2 of Republic Act No. 8189 is hereby amended to read as
2 follows:
3

4 “SEC. 2. *Declaration of Policy.* - It is the policy of the State to [systematize the present
5 method of registration in order to establish a clean, complete, permanent and updated list of
6 voters] **ESTABLISH A SYSTEM OF REGISTRATION THAT ENSURES AND**
7 **GUARANTEES A CLEAN, COMPLETE, PERMANENT, AND UPDATED LIST OF**
8 **VOTERS. TO ENCOURAGE AND ENSURE A CONTINUING SYSTEM OF**
9 **VOTER REGISTRATION, THE STATE SHALL ADOPT AND MAKE USE OF**
10 **TECHNOLOGIES THAT SHALL FACILITATE AND ALLOW THE AUTOMATED**
11 **AND ONLINE REGISTRATION OF VOTERS AS AN OPTION, TAKING INTO**
12 **ACCOUNT THE INTEGRITY, COMPLETENESS, AND ACCURACY OF THE**
13 **LIST OF VOTERS.”**
14

15 **SEC. 2.** Section 3 of the same Act is hereby amended to read as follows:
16

17 “SEC. 3. *Definition of Terms.* - As used in is Act:
18

19 a) *Registration* refers to the act of accomplishing and filing of a sworn application for
20 registration by a qualified voter **ONLINE OR** before the election officer of the city or
21 municipality wherein [he] **THE APPLICANT** resides and including the same in the book
22 of registered voters upon approval by the Election Registration Board. **REGISTRATION**

1 LIKEWISE REFERS TO OTHER PROCESSES ATTENDANT TO BEING A
2 QUALIFIED VOTER SUCH AS THE REACTIVATION OF VOTER
3 REGISTRATION RECORDS, TRANSFER OF VOTER REGISTRATION
4 RECORDS, AND CORRECTION OF ENTRIES THEREIN;

5
6 x x x

7
8 n) *Election Officer* refers to the highest official or authorized representative of the
9 Commission in a city or municipality; [and]

10
11 o) *Board of Election Inspectors* refers to the body which conducts the election in the polling
12 place of the precinct usually composed of three (3) public school teachers appointed by the
13 Commission[.]; **AND**

14
15 **P) *DISINTERESTED WITNESS* REFERS TO A REGISTERED VOTER IN**
16 **THE SAME BARANGAY WHERE THE APPLICANT SEEKS TO REGISTER**
17 **AND WHO RESIDES THEREAT, ATTESTING TO A CERTAIN FACT, THE**
18 **IDENTITY, PERSONAL CIRCUMSTANCES AND RESIDENCE OF THE**
19 **APPLICANT, BUT HAS NO PERSONAL ADVANTAGE OR DISADVANTAGE**
20 **ON THE APPROVAL OR DISAPPROVAL OF THE APPLICANT'S VOTER**
21 **REGISTRATION. A DISINTERESTED WITNESS SHOULD NOT BE**
22 **RELATED TO THE APPLICANT WITHIN THE FOURTH (4TH) CIVIL**
23 **DEGREE OF CONSANGUINITY OR AFFINITY: *PROVIDED, HOWEVER,***
24 **THAT NO DISINTERESTED WITNESS SHALL BE ALLOWED TO**
25 **IDENTIFY MORE THAN THREE (3) APPLICANTS."**

26
27 **SEC. 3.** Section 8 of the same Act is hereby amended to read as follows:

28
29 "SEC. 8. *System of Continuing Registration of Voters.* – The personal **OR ELECTRONIC**
30 filing of application [of] FOR registration of voters shall be conducted daily in the office of the
31 Election Officer during regular office hours **OR THROUGH THE OFFICIAL WEBSITE**
32 **OF THE COMMISSION.** No registration shall, however, be conducted [during the period
33 starting] **WITHIN** one hundred twenty (120) days before a regular election and ninety (90) days
34 before a special election."

35
36
37 **SEC. 4.** Section 9 of the same Act is hereby amended to read as follows:

38
39 "SEC. 9. *Who may Register.* - All citizens of the Philippines not otherwise disqualified by
40 law who are at least eighteen (18) years of age, and who shall have resided in the Philippines for
41 at least one (1) year, and in the [place] **BARANGAY** wherein they propose to vote, for at least
42 six (6) months immediately preceding the election, may register as a voter[.]: ***PROVIDED,***
43 ***HOWEVER,* THAT NO PERSON SHALL BE ALLOWED TO REGISTER**
44 **WITHOUT PRESENTING ANY VALID PROOF OF RESIDENCE, SUCH AS THE**
45 **FOLLOWING:**

46
47 **A) TAX DECLARATION OR PROOF OF PAYMENT OF REAL PROPERTY TAX,**
48 **OR A CERTIFICATION FROM THE LANDOWNER OR LESSOR OF**
49 **RESIDENTIAL UNIT, APARTMENT, CONDOMINIUM, DORMITORY OR**
50 **SIMILAR DWELLING UNITS WHERE THE APPLICANT IS RESIDING AT THE**
51 **TIME OF REGISTRATION;**

1 **B) A RECENT HOUSEHOLD UTILITY BILL FOR GAS, ELECTRIC, WATER,**
2 **TELEPHONE, CABLE, OR INTERNET CONSUMPTION, OR A STATEMENT OF**
3 **ACCOUNT FOR MOBILE PHONE SUBSCRIPTION OR CREDIT CARD, UNDER**
4 **THE APPLICANT'S NAME;**

5
6 **C) AFFIDAVIT OF AT LEAST TWO DISINTERESTED WITNESSES AS DEFINED**
7 **IN SECTION 3 OF THIS ACT THAT THE APPLICANT IS A RESIDENT OF THE**
8 **PLACE OF REGISTRATION; OR**

9
10 **D) OTHER COMPETENT PROOF OF RESIDENCE DECIDED UPON AND**
11 **PROMULGATED BY THE COMMISSION.**

12
13 Any person who temporarily resides in another [city, municipality] **BARANGAY** or
14 **ANOTHER** country solely by reason of his occupation, profession, employment in private or
15 public service, educational activities, work in the military or naval reservations within the
16 Philippines, service in the Armed Forces of the Philippines, the National Police Forces, or
17 confinement or detention in government institutions in accordance with law, shall not be
18 deemed to have lost his original residence.

19
20 x x x”

21
22
23 **SEC. 5.** Section 10 of the same Act is hereby amended to read as follows:

24
25 “SEC. 10. *Registration of Voters.* – A qualified voter shall be registered in the permanent list
26 of voters in a precinct of the city or municipality [wherein he] **WHERE THE VOTER** resides
27 to be able to vote in any election. To register as a voter, [he] **THE APPLICANT** shall
28 personally **OR ELECTRONICALLY** accomplish an application form for registration as
29 prescribed by the Commission in [three (3) copies before the Election Officer] **AND**
30 **PERSONALLY SUBMIT THE ACCOMPLISHED FORM TO THE OFFICE OF**
31 **THE ELECTION OFFICER OF THE CITY OR MUNICIPALITY WHERE THE**
32 **VOTER RESIDES** on any date during office hours, **OR THROUGH THE OFFICIAL**
33 **WEBSITE OF THE COMMISSION** [after having acquired the qualifications of a voter].

34
35 x x x

36
37 The application for registration [shall contain three (3) specimen signatures of the applicant,
38 clear and legible rolled prints of his left and right thumbprints, with four (4) identification size
39 copies of his latest photograph, attached thereto, to be taken at the expense of the Commission]
40 **MAY BE SUBMITTED PERSONALLY OR ELECTRONICALLY AND SHALL BE**
41 **PROCESSED IN ACCORDANCE WITH REPUBLIC ACT NO. 10367 ENTITLED**
42 **"AN ACT PROVIDING FOR MANDATORY BIOMETRICS VOTER**
43 **REGISTRATION" AT THE EXPENSE OF THE COMMISSION .**

44
45 Before the applicant accomplishes [his] **THE** application for registration, the Election Officer
46 shall inform [him] **THE APPLICANT** of the qualifications and disqualifications prescribed by
47 law for a voter, and thereafter, see to it that the accomplished application contains all the data
48 therein required and that the applicant's specimen signatures, fingerprints, and photographs are
49 properly affixed in [all copies of] the voter's application.

50
51 **IN CASE OF ONLINE SUBMISSION OF APPLICATION FOR REGISTRATION BY**
52 **AN APPLICANT, THE COMMISSION SHALL SEND A NOTICE CONFIRMING**

1 ITS RECEIPT OF THE APPLICATION AND PROVIDING INSTRUCTIONS ON
2 HOW THE APPLICANT MAY CHECK THE STATUS OF THE APPLICATION.
3

4 FURTHERMORE, THE COMMISSION SHALL EMPLOY DATA SECURITY
5 MEASURES WHICH ARE NECESSARY TO ENSURE THE ACCURACY AND
6 INTEGRITY OF ELECTRONICALLY SUBMITTED VOTER REGISTRATION
7 APPLICATIONS.”
8

9 SEC. 6. Section 12 of the same Act is hereby amended to read as follows:
10

11 “SEC. 12. *Change of Residence to Another [City or Municipality] BARANGAY.* - Any
12 registered voter who has transferred residence to another [city or municipality] BARANGAY
13 may apply with the Election Officer of [his] THE new residence for the transfer of [his] THE
14 VOTER’S registration records.
15

16 NO TRANSFER OF A VOTER’S REGISTRATION TO ANOTHER BARANGAY
17 SHALL BE ALLOWED WITHIN ONE HUNDRED TWENTY (120) DAYS BEFORE
18 A REGULAR ELECTION AND NINETY (90) DAYS BEFORE A SPECIAL
19 ELECTION.
20

21 The application for transfer of registration shall be subject to the requirements of notice and
22 hearing and the approval of the Election Registration Board, in accordance with this Act. Upon
23 approval of the application for transfer, and after notice of such approval to the Election Officer
24 of the former residence of the voter, said Election Officer shall transmit by registered mail **OR**
25 **OTHER MODES OF SAFE, SECURE AND FAST TRANSMISSION** the voter's
26 registration record to the Election Officer of the voter's new residence.”
27

28 SEC. 7. Section 13 of the same Act is hereby amended to read as follows:
29

30 “SEC. 13. *Change of Address [in the Same City or Municipality].* - Any voter who has changed
31 [his] address [in the same city or municipality] **WHICH SHALL NOT FALL UNDER A**
32 **CHANGE IN BARANGAY AS PROVIDED UNDER SECTION 12 OF THIS ACT**
33 shall immediately notify the Election Officer in writing. If the change of address involves a
34 change in precinct, the Board shall transfer [his] THE registration record to the [precinct] book
35 of voters of [his] THE new precinct and notify the voter of [his] THE new precinct. All
36 changes of address shall be reported to the office of the provincial election supervisor and the
37 Commission in Manila.”
38

39 SEC. 8. Section 22 of the same Act is hereby amended to read as follows:
40

41 “SEC. 22. *Preservation of Voter’s Registration Records.* - The Election Officer shall compile
42 the [original] copies of the approved applications for registration per precinct and arrange the
43 same alphabetically according to surname. He shall preserve the book of voters and ensure its
44 integrity. [The second and third copies of the registration records] **THE COPY OF THE**
45 **APPROVED APPLICATION FOR REGISTRATION SHALL BE SCANNED BY**
46 **THE ELECTION OFFICER AND THE SCANNED COPY** shall be sent to the
47 provincial and national central files within [three (3)] **FIVE (5)** days after the approval of the
48 Board.
49

50 **ALL APPROVED APPLICATIONS FILED DURING THE REGISTRATION**
51 **PERIOD IN THE LOCAL VOTERS’ DATABASE SHALL BE EXTRACTED AND**
52 **STORED IN A USB OR OTHER STORAGE DEVICES AND SENT TO THE**

1 **APPROPRIATE OFFICE OF THE PROVINCIAL ELECTION SUPERVISOR AND**
2 **TO THE INFORMATION TECHNOLOGY DEPARTMENT OF THE**
3 **COMMISSION.”**
4

5 **SEC. 9.** Section 23 of the same Act is hereby amended to read as follows:
6

7 “SEC. 23. *Provincial File.* – There shall be a provincial file consisting of the [duplicate]
8 **SCANNED** copies of all registration records in each precinct of every city and municipality
9 in the province. It shall be in the custody of the Provincial Election Supervisor and shall be
10 compiled and arranged by precinct, by municipality and alphabetically by surnames of
11 voters.
12

13 x x x”
14

15 **SEC. 10.** Section 24 of of the same Act is hereby amended to read as follows:
16

17 “SEC. 24. *National Central File.* – There shall be a national central file under the custody
18 of the Commission in Manila consisting of the [third] **SCANNED** copies of all approved voter
19 registration records in each city or municipality. It shall be compiled by precinct in each city [/]
20 **OR** municipality and arranged alphabetically by **DATE OF BOARD HEARING** [surname so
21 as to make the file a replica of the book of voters in the possession of the Election Officer.
22 Thereafter a national list shall be prepared following the alphabetical arrangements of surnames
23 of voters].
24

25 There shall be a national file [consisting of the] **OF** computerized voters’ list (CVL), [both] in
26 [print and in diskette] **SOFT COPY**, submitted by the Election Officers in each city and
27 municipality concerned, under the custody of the Commission in Manila.
28

29 x x x”
30

31 **SEC. 11.** Section 27 of the same Act is hereby amended to read as follows:
32

33 “SEC. 27. *Deactivation of Registration.* –
34

35 x x x
36

37 d) Any person who did not vote in the [two (2)] **THREE (3)** successive preceding regular
38 elections as shown by their voting records. For this purpose, regular elections do not include the
39 Sangguniang Kabataan (SK) elections;
40

41 x x x”
42

43 **SEC. 12.** Section 29 of the same Act is hereby amended to read as follows:
44

45 “SEC. 29. *Cancellation of Registration.* - The Board shall cancel the registration records of
46 those who have died as certified by the [Local Civil Registrar] **THE PHILIPPINE**
47 **STATISTICS AUTHORITY (PSA) ON A MONTHLY BASIS. THE PROCESSING**
48 **FEES OF THE MONTHLY CERTIFIED LIST OF PERSONS WHO DIED AS**
49 **REQUESTED BY THE COMMISSION TO PSA SHALL BE WAIVED.** The [Local Civil
50 Registrar] **PSA** shall submit each month a certified list of persons who died during the previous
51 month to the Election Officer of the place where the deceased are registered. In the absence of
52 information concerning the place where the deceased is registered, the list shall be sent to the

1 Election Officer of the city or municipality of the deceased's residence as appearing in his death
2 certificate. In any case, the [Local Civil Registrar] PSA shall furnish a copy of this list to the
3 national central file and the proper provincial file.

4
5 x x x”

6
7
8 **SEC. 13.** Section 32 of the same Act is hereby amended to read as follows:

9
10 “SEC. 32. *Common Rules Governing Judicial Proceedings in the Matter of Inclusion, Exclusion, and*
11 *Correction of Names of Voters.* -

12
13 x x x

14
15 d) No cost[s] shall be assessed against any party in these proceedings. However, if the
16 court should find that the application has been filed solely to harass the adverse party
17 and cause him to incur expenses, it shall order the culpable party to pay the costs and
18 incidental expenses. **NO COST SHALL LIKEWISE BE ASSESSED AGAINST**
19 **THE COMMISSION WHEN IT FILES A PETITION FOR EXCLUSION;**

20
21 x x x”

22
23 **SEC. 14.** Section 33 of the same Act is hereby amended to read as follows:

24
25 “SEC. 33. *Jurisdiction in Inclusion and Exclusion Case.* - The Municipal and Metropolitan
26 Trial Courts shall have original and exclusive jurisdiction over all cases of inclusion and exclusion
27 of voters in their respective cities or municipalities[.]: **PROVIDED, THAT WHEN THE**
28 **COMMISSION IS THE PETITIONER OF A CASE ON EXCLUSION OF VOTERS,**
29 **FILING AND OTHER COURT FEES SHALL BE WAIVED.** Decisions of the Municipal
30 or Metropolitan Trial Courts may be appealed by the aggrieved party to the Regional Trial Court
31 within five (5) days from receipt of notice thereof. Otherwise, said decision shall become final
32 and executory. The regional trial court shall decide the appeal within ten (10) days from the time
33 it is received and the decision shall immediately become final and executory. No motion for
34 reconsideration shall be entertained.

35
36 **SEC. 15.** Section 45 of the same Act is hereby amended to read as follows:

37
38 “SEC. 45. *Election Offenses.* - The following shall be considered election offenses under
39 this Act:

40
41 x x x

42
43 i) the posting of a list of voters outside or at the door of a precinct on the day of an
44 election, plebiscite, referendum, initiative and/or recall, and which list is different in contents
45 from the certified list of voters being used by the Board of Election Inspectors; [and]

46
47 j) [Violation of the provisions of this Act] **THE TRANSFER OF A VOTER'S**
48 **REGISTRATION OF RESIDENCE CONTRARY TO THE PROVISIONS OF**
49 **SECTION 12 OF THIS ACT; AND**

50
51 **K) VIOLATION OF ANY OTHER PROVISION OF THIS ACT.**

1 **SEC. 16. *Appropriations.*** The amount necessary for the initial implementation of this
2 Act may be charged against the current appropriations of the Commission. Thereafter, such
3 sums as may be necessary for the continued implementation of this Act must be included in the
4 annual General Appropriations Act.
5

6 **SEC. 17. *Implementing Rules and Regulations.*** - Within ninety (90) days from the
7 effectivity of this Act, the Commission on Elections, in consultation with the Department of
8 Information and Communications Technology, Department of Science and Technology,
9 Department of Interior and Local Government, National Commission for Senior Citizens, and
10 other stakeholders shall promulgate the rules and regulations for the effective implementation of
11 this Act.
12

13 **SEC. 18. *Separability Clause.*** - If any portion or provision of this Act is declared
14 unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in
15 force and effect.
16

17 **SEC. 19. *Repealing Clause.*** - All other laws, acts, presidential decrees, executive
18 orders, issuances, presidential proclamations, rules and regulations or parts thereof, which are
19 contrary to and inconsistent with any provision of this Act, are hereby repealed, amended or
20 modified accordingly.
21

22 **SEC. 20. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in
23 the Official Gazette or in a newspaper of general circulation.

Approved,