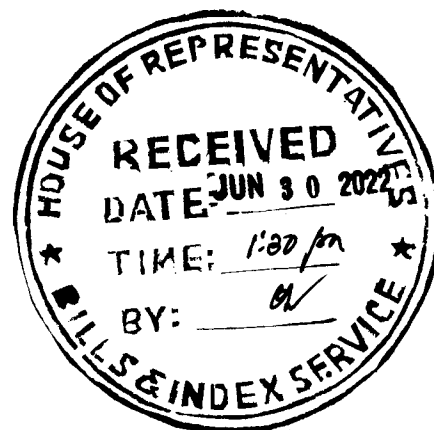


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 121



Introduced by: **REP. JULIET MARIE DE LEON FERRER**

EXPLANATORY NOTE

This measure seeks to postpone the 2022 Barangay and Sangguniang Kabataan (SK) elections.

The barangay has been considered as the basic political unit of the society. Barangay officials have played a vital role in the implementation of government policies, plans, programs, and projects. They have been effective partners of the government in translating its goals into realities.

In the past two years, our government has faced several challenges and difficulties due to the Covid-19 pandemic. The barangay level of our government has played a vital role in addressing this difficult time. The country has yet to recover from the effects of the pandemic. In our efforts to rise back up, the role of the barangay and SK officials is crucial.

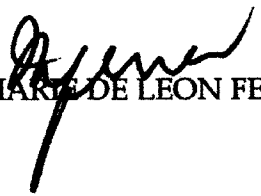
When the Barangay and SK elections was postponed in 2019, the havoc brought about by the pandemic was never foreseen or imagined. And after more than two years with Covid-19, it is clear that there is a need for another postponement for the following reasons:

First, we have just concluded a National and Local Elections on May 9, 2022 and the government will have to prepare for the Barangay and SK elections in December 2022. Instead of spending on another electoral exercise, the government can direct its resources Covid-19 related programs and help rebuild our economy.

Second, with the proposed postponement, there will be continuity in the implementation of programs. Now is not the time to make changes that will require adjustment and familiarization for new officials.

Third, considering that the National and Local elections have just been conducted, the Commission on Elections will have more time for the Barangay and SK Elections if it will postponed to 2023.

It is for these reasons that I seek the approval of this bill


JULIET MARIE DE LEON FERRER

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 121

Introduced by: **REP. JULIET MARIE DE LEON FERRER**

AN ACT
AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NO. 11462 OTHERWISE
KNOWN AS AN ACT POSTPONING THE 2020 BARANGAY AND
SANGGUNIANG KABATAAN ELECTIONS

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

SECTION 1. Section 1 of Republic Act No. 9164, as amended by the Republic Act No. 9340, Republic Act No. 10632, Republic Act No. 10656, Republic Act No. 10923, Republic Act 10952, and Republic Act 11462, is hereby amended to read as follows:

"SECTION 1. *Date of Election.* - There shall be synchronized barangay and sangguniang kabataan elections, which shall be held on July 15, 2002. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on the last Monday of October 2007 and every three (3) years thereafter: *Provided, That* the Barangay and Sangguniang Kabataan elections on December 5, 2022 shall be postponed to first Monday of May 2023. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on the first Monday of May 2026 and every three (3) years thereafter."

SEC. 2. Section 4 of Republic Act No. 9164, as amended by Republic Act No. 9340, Republic Act No. 10632, Republic Act No. 10923, Republic Act 10952, and Republic Act 11462 is hereby further amended to read as follows:

SEC. 4. *Assumption of Office.* - The term of office of the barangay and sangguniang kabataan officials elected under this Act shall commence at noon of January 5 following their elections: *Provided, however,* That the term of office of the barangay and sangguniang kabataan officials elected under this Act and subsequently thereafter, shall commence at noon of January 5 next following their elections."

SEC. 3. *Hold Over.* - Until their successors shall have been duly elected and qualified, all incumbent barangay officials shall remain in office, unless sooner removed or suspended for cause: *Provided,* That barangay official who are *ex officio* members of the sangguniang bayan, sangguniang panglungsod, or sangguniang panlalawigan, as the case may be, shall continue to serve as such members in the sanggunian concerned until the next barangay election. The Liga ng mga Barangay at the municipal, city, and provincial levels shall not later than December 5, 2023, conduct elections for *ex officio* positions in the sangguniangs under the supervision of the Department of the Interior and Local Government.

SEC. 4. *Ban of Government Projects.* - The construction or maintenance of barangay-funded roads and bridges shall be prohibited for the period of ten (10) days immediately preceding the date of election, the provision of Section 261, paragraphs (v) and (w) of the Omnibus Election Code to the contrary notwithstanding.

SEC. 5. *Prohibition on Appointments of Government Officials and Employee.* - The appointment or hiring of new employees, creation of new position, promotion, or giving of salary increases, remuneration or privileges in the barangay shall be prohibited for the period of ten (10) days immediately preceding the election, the provisions of Section 261, paragraph (g), of the Omnibus Election Code to the contrary notwithstanding.

SEC. 6. *Appropriations.* - The amount necessary for the implementation of this Act shall be taken from the appropriations of the Commission on Elections (COMELEC) under the General Appropriations Act and/or supplementary appropriations thereafter.

SEC. 7. *Implementing Rules and Regulations.* - The Commission on Elections shall, within fifteen (15) days after the effectivity of this Act, promulgate such rules and regulations necessary to implement this Act.

SEC. 8. *Repealing Clause.* - All other laws, acts presidential decrees, executive orders, issuances, presidential proclamations, rules and regulations or parts thereof, which are contrary to and inconsistent with any provision of this Act are hereby repealed, amended, or modified accordingly.

SEC. 9. *Separability Clause.* - If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SEC. 10. *Effectivity.* - This Act shall take effect immediately following the completion of its publication either on the *Official Gazette* or in two (2) newspapers of general circulation in the Philippines.

Approved.