

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**NINETEENTH CONGRESS
First Regular Session**

House Bill No. 1705



**Introduced by Representative
HORACIO P. SUANSING, JR.**

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

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 Republic Act No. 7160 as amended, otherwise known as the Local Government Code of 1991, in connection with Section 18 of Republic Act No. 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 Kislana, Dapulan, Tudoc Midulow, Atir, Kesiyor, Baklag, Mekedapang, Tigbowen, Nabugsudan, and Kitakal.

According to Section 385 of R.A. 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 of 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.¹


HORACIO P. SUANSING, JR.
Second District of Sultan Kudarat

¹ This bill was initially filed in the 18th Congress by Rep. Horacio P. Suansing, Jr

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**NINETEENTH CONGRESS
First Regular Session**

HOUSE BILL No. 1705

**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.

The territorial boundaries of Barangay Legodon are in accordance with the metes and bounds in Ordinance No. 01-09 of the Sangguniang Panlalawigan of the Province of Sultan Kudarat creating Barangay Pag-asa, as ratified by the plebiscite conducted and supervised by the Commission on Elections (COMELEC).

SECTION 2. *Conduct and Supervision of Plebiscite* — The plebiscite conducted and supervised by the Commission on Elections (COMELEC) pursuant to Provincial Ordinance No. 01-09 of the Sangguniang Panlalawigan of the Province of Sultan Kudarat on June 4, 2009, which ratified the creation of Barangay Legodon, 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. *Separability Clause.* — If any provision or part hereof is held invalid or unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SECTION 7. *Effectivity* — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,