

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1961



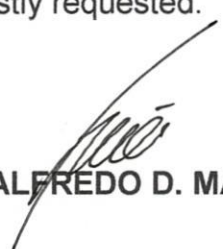
Introduced by REP. ALFREDO D. MARAÑON III

EXPLANATORY NOTE

The Local Government Code of 1991 recognizes the barangay as the basic political unit of the society. It serves as the primary planning and implementing unit of government policies, plans, programs, projects and activities in the community. It is a unit of the government where the collective views of the people may be expressed, crystallized and considered. The barangay also plays a vital role in the amicable settlement of disputes.

The Covid-19 pandemic highlighted the important role which barangays play in our society. The officials and employees act as frontliners in catering and responding to the needs and concerns of their constituents. Their role remained crucial in the government's efforts to surpass the challenges brought by this pandemic. Now, more than ever, there is a need to ensure continuity of programs and projects in the barangay level. Thus, it is reasonably necessary to postpone the conduct of the barangay elections. The postponement is bolstered by budgetary constraints.

In view of the foregoing, the passage of this bills is earnestly requested.


ALFREDO D. MARAÑON III

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1961

Introduced by REP. ALFREDO D. MARAÑON III

AN ACT
AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NO. 11462 OTHERWISE
KNOWN AS AN ACT POSTPONING THE 2020 BARANGAY AND
SANGGUNIAN 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 October 2024**. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on the first Monday of May **2027** 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.