

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila
Nineteenth Congress
First Regular Session
HOUSE BILL NO. 3717



Introduced by **Rep. Anthony R.T. Golez Jr. MD, MBAH**

EXPLANATORY NOTE

The barangay serves as the primary responders and public service providers for Filipinos particularly on matters concerning peace and order, public health, dispute resolution, and most specially disaster response. The recent pandemic magnified the importance of the barangays as they played extremely critical roles as partners of other LGU's and government agencies in the implementation of various programs and critical responses such as enforcing lockdowns and quarantine operations, vaccination operations, assisting distribution of aid and performing contact tracing operations.

Likewise, barangay governments are still in a period of adjustment as the local government units roll out the implementation of the Mandanas & Garcia ruling. Various trainings and planning activities have been conducted to ensure the smooth transition to the newly devolved functions.

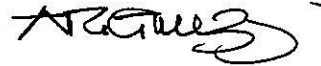
This proposed bill seeks to tap on the existing capability development given to the incumbent barangay officials to ensure the stability and consistency of public service as the government transitions to the new administration.

Postponement of the Barangay and Sangguniang Kabataan elections to 2024 will provide the much-needed leeway for the government to further focus on the country's efforts to recover from the pandemic. It allows the government to tap on the expertise and training of the incumbent barangay leaders which could be valuable in formulation plans, programs and other interventions to adapt to the new normal and to spearhead recovery to pre-pandemic levels.

In addition, the postponement of the Barangay and Sangguniang Kabataan elections enables the government to realign a portion of the P8.44 billion appropriations for the barangay and SK towards interventions aimed to address urgent matters like economy, peace and order, education, food security, and disaster resilience.

Verily, the proposed law is well-within the general welfare clause, as enshrined in the Constitution, to wit: *"the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy"* (Section 2, Article 2, 1987 Constitution).

For the people of the Philippines, the passage of the proposed law is earnestly being sought.



HON. ANTHONY R.T. GOLEZ JR. MD, MBAH
Malasakit at Bayanihan Partylist

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**An Act Postponing the December 2022
Barangay and Sangguniang Kabataan Elections,
Amending for the Purpose Republic Act No. 9164, as
Amended by Republic Act No. 9340, Republic Act No. 10632,
Republic Act No. 10656, Republic Act No. 10923,
Republic Act No. 10952, Republic Act No. 11462,
and for Other Purposes**

Be it enacted by the Senate and House of Representatives of the Philippine Congress Assembled:

Section 1. Section 1 of Republic Act No. 9164, as amended, is hereby further 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 the **FIFTH DAY OF DECEMBER 2022** shall be postponed to the **SECOND MONDAY OF MAY 2024**. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on the **SECOND MONDAY OF MAY 2027** and every three (3) years thereafter."

Section 2. Section 4 of Republic Act No. 9164, as amended, 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 June 30 next following their election; *Provided*, however, that the term of the barangay and sangguniang kabataan officials elected in

2

the **MAY 2024** elections and subsequently thereafter, shall commence at noon of **JUNE 30** next following their election."

Section 3. *Hold-Over.* — Until their successors shall have been duly elected and qualified, all incumbent barangay and sangguniang kabataan officials shall remain in office, unless sooner removed or suspended for cause: Provided, That barangay and sangguniang kabataan officials who are ex officio members of the sangguniang bayan, sangguniang panlungsod, or sangguniang panlalawigan, as the case may be, shall continue to serve as such members in the sanggunian concerned until the next barangay and sangguniang kabataan elections.

Section 4. *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.

Section 5. *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.

Section 6. *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

Section 7. *Effectivity.* — This Act shall take effect immediately following the completion of its publication either in the Official Gazette or in two (2) newspapers of general circulation.

Approved,