

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 4030



Introduced by the Honorable ANIELA BIANCA D. TOLENTINO

EXPLANATORY NOTE

The general welfare clause in Section 2, Article 2 of the 1987 Constitution, states that "*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). Pursuant to said Constitutional mandate, this representation seeks for the postponement of the Barangay and Sangguniang Kabataan Elections slated on December 2022.

It was reported that the expenses for holding the barangay elections this December 2022 will reach more than P8 Billion. Said amount can be used for programs that will help the Philippines in its efforts to recover from the COVID-19 Pandemic. The postponement of the Barangay and Sangguniang Kabataan Elections slated on December 2022 is needed so that the government can focus on matters that will help the country recover from the COVID-19 Pandemic.

For the Filipino people, the passage of the measure herein is earnestly being prayed.

A handwritten signature in black ink, appearing to be the initials "AT" followed by a stylized flourish.

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An Act Postponing the Barangay and Sangguniang Kabataan Elections slated on December 2022, 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 December 5, 2022 shall be postponed to December 4, 2023. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on the first Monday of December 2025 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 office of the barangay and sangguniang kabataan officials elected in the December 4, 2023 elections and subsequently thereafter, shall commence at noon of January 1 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 the provisions of this Act shall be sourced 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,