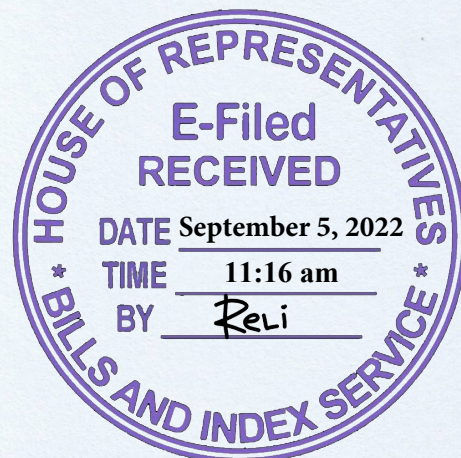


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4399



Introduced by HON. REX GATCHALIAN and HON. ERIC M. MARTINEZ

AN ACT
AMENDING SECTION 21 OF REPUBLIC ACT NO. 8526, OTHERWISE KNOWN
AS THE CHARTER OF THE CITY OF VALENZUELA

The Charter of the City of Valenzuela was enacted 24 years ago, or in February 14, 1998. The redistricting of the City was enunciated in Section 51 of the same Charter providing that ***“Upon its conversion into a highly-urbanized city, Valenzuela shall thereafter have at least two (2) legislative districts that shall initially correspond to the two (2) existing districts created under Sec. 3(a) of Republic Act No. 7166 as implemented by the Commission on Elections”.***

On the other hand, a cursory reading of the last paragraph of Section 21 of the City Charter provides that ***“for purposes of succession as provided in this Act, ranking in the sanggunian shall be determined on the basis of the proportion of votes obtained by each winning candidate to the total number of registered voters in the City in the immediately preceding local election”.*** This provision is crucial in the event of succession.

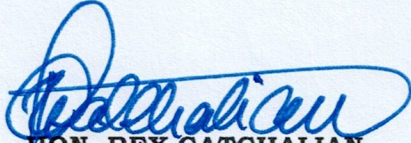
Although at the propitious time the Charter of the City of Valenzuela was drafted, with the inclusion of its redistricting into two (2) legislative districts, it however failed to foresee the eventuality of one district having more voters than the other district, in the provision for succession.

District 1 currently has 199,294 registered voters while District 2 has 244,317 voters. The differing number now presents an abyss in the law leading to an incongruous disproportion that is prejudicial to the sanggunian bayan members of the district which has fewer number of voters, if the basis or formulation for succession will be the proportion of votes to the total number of voters in the City. There will never come a time that District 1 SB members will be given the chance to succeed because they will always be a poor second to the District 2 SB members merely by the fact that the law is lopsided in their favor by having the greater number of registered voters in the City.

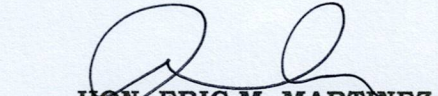
This measure is intended to be a remedial legislation, to correct the absurdity of denying District 1 Sanggunian Bayan members their fair chance to succeed in cases where there is vacancy in the position of Mayor and Vice-Mayor, by amending the basis for the ranking that will determine succession. The basis should now be re-formulated to reflect that succession shall be the percentage share of the number

of votes garnered in the last-held election of the SB member in the district represented.

On the basis of the foregoing, I earnestly seek your support for the passage of this measure at the soonest possible time.



HON. REX GATCHALIAN
Representative
1st District, Valenzuela City



HON. ERIC M. MARTINEZ
Representative
2nd District, Valenzuela City

Republic of the Philippines
HOUSE OF REPRESENTATIVES

NINETEENTH CONGRESS
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HOUSE BILL NO. 4399

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AN ACT
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AS THE CHARTER OF THE CITY OF VALENZUELA

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

1 SECTION 1. ***Permanent Vacancy in the Office of the City Mayor and Vice***
2 ***Mayor.*** – Section 21 (b) of Republic Act No. 8526 shall be amended to read as follows:

3
4 Sec. 21. Permanent Vacancy in the Office of the City Mayor and Vice
5 Mayor. — (a) If a permanent vacancy occurs in the office of the city
6 mayor, the city vice mayor concerned shall become the city mayor. If a
7 permanent vacancy occurs in the office of the vice mayor, the highest
8 ranking sangguniang panlungsod member or, in case of his permanent
9 incapacity, the second highest ranking sangguniang panlungsod
10 member, shall become the city mayor or city vice mayor, as the case
11 may be. Subsequent vacancies in the said offices shall be filled
12 automatically by the other sanggunian members according to their
13 ranking as defined herein.

14
15 (b) A tie between or among the highest ranking sangguniang
16 panlungsod members shall be resolved by the drawing of lots.

17
18 (c) The successors as defined herein shall serve only the
19 unexpired terms of their predecessors.
20

1 For purposes of this Act, a permanent vacancy arises when an
2 elective local official fills a higher vacant office, refuses to assume office,
3 fails to qualify, dies, is removed from office, voluntarily resigns or is
4 otherwise permanently incapacitated to discharge the functions of his
5 office.

6
7 For purposes of succession as provided in this Act, ranking in
8 the sanggunian shall be determined on the basis of the [proportion]
9 **PERCENTAGE SHARE** of votes obtained by each winning candidate **IN**
10 **THE DISTRICT REPRESENTED.**

11
12 **(PERCENTAGE SHARE OF VOTES SHALL MEAN THE VOTES**
13 **GARNERED IN THE IMMEDIATELY PRECEDING LOCAL ELECTION**
14 **OVER THE TOTAL NUMBER OF REGISTERED VOTERS IN THE**
15 **DISTRICT REPRESENTED MULTIPLIED BY THE PERCENTAGE**
16 **SHARE OF THE CITY VOTERS IN THE DISTRICT REPRESENTED.)**

17
18 SEC. 2. **Separability Clause.** – If any provision or part of this Act is
19 declared invalid or unconstitutional, the remaining part or provisions not affected
20 shall remain in full force and effect.

21
22 SEC. 3. **Effectivity.** – This Act shall take effect fifteen (15) days after its
23 publication in the *Official Gazette* or in a newspaper of general circulation.

24
25 Approved,