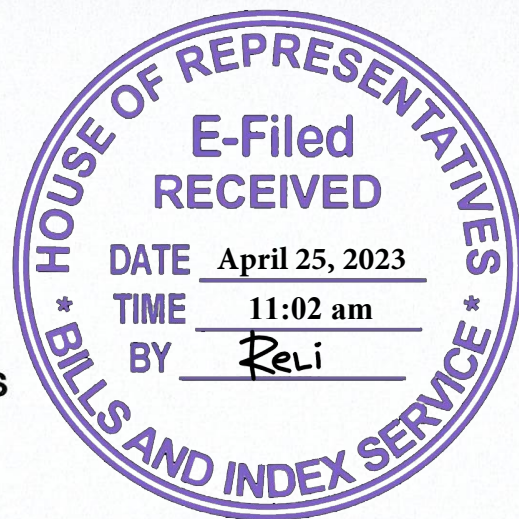


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES

House Bill No. 7894



**Introduced by REPRESENTATIVES LANI MERCADO-REVILLA,
BRYAN B. REVILLA AND RAMON JOLO REVILLA III**

AN ACT

**STRENGTHENING THE COMMISSION ON ELECTIONS BY INCREASING THE
MANPOWER COMPLEMENT IN ITS FIELD OFFICES, PROVIDING OFFICE
SPACES SEPARATE AND INDEPENDENT FROM LOCAL GOVERNMENT UNITS,
AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE
BATAS PAMBANSA BLG. 881, OTHERWISE KNOWN AS THE "OMNIBUS
ELECTION CODE OF THE PHILIPPINES", AS AMENDED**

EXPLANATORY NOTE

Article IX-A of the 1987 Constitution guarantees the enjoyment of independence and fiscal autonomy of constitutional commissions. These virtually constitute the fourth branch of government that is perceived as co-equal with other branches of government. One of these is the Commission on Elections (COMELEC), which is concerned with the administration of the electoral process. As such, the Commission must at all times be insulated from partisan politics.

At present, however, Batas Pambansa Blg. 881, otherwise known as the "Omnibus Election Code of the Philippines", requires local government units to provide suitable office spaces and sufficient personnel to the local COMELEC field offices. There is room for local officials to influence the COMELEC.

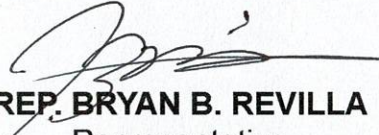
Therefore, this bill seeks to protect the independence and integrity of the Comelec by removing from the local government unit concerned the burden of providing for the office space of the COMELEC officials and staff.

In view of the foregoing, the approval of this bill is most earnestly sought.

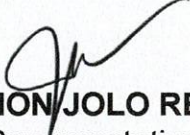


REP. LANI MERCADO-REVILLA

Representative
2nd District of Cavite



REP. BRYAN B. REVILLA
Representative
AGIMAT Partylist



REP. RAMON JOLO REVILLA III
Representative
1st District of Cavite

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
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HOUSE BILL NO. 7894

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ELECTION CODE OF THE PHILIPPINES", AS AMENDED

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

Section 1. *Short Title.* This Act shall be known as the "COMELEC Integrity
Act."

Section 2. *Declaration of Policy.* It is hereby declared the policy of the State
to provide suitable office spaces and sufficient manpower complement for the field
offices of the Commission on Elections (COMELEC) to ensure and preserve its
integrity and independence, as guaranteed under Article IX, Part A, Section 1 of the
1987 Constitution.

Section 3. Section 53, Article VII of Batas Pambansa Blg. 881, otherwise
known as the "*Omnibus Election Code of the Philippines*", as amended, is hereby
amended to read as follows:

Section 53. Field offices of the Commission. – The Commission shall
have the following field offices:

(1) Regional Election Office, headed by the Regional Election Director
and assisted by the Assistant Regional Director and such other

subordinate officers or employees as the Commission may appoint [.]
**IN ACCORDANCE WITH THE ORGANIZATION, STAFFING,
POSITION CLASSIFICATION, AND COMPENSATION STANDARDS.**

(2) Provincial Election Office, headed by the Provincial Election Supervisor and assisted by **AT LEAST ONE (1) ELECTION ASSISTANT AND** such other subordinate officers or employees as the Commission may appoint, **IN ACCORDANCE WITH THE ORGANIZATION, STAFFING, POSITION CLASSIFICATION AND COMPENSATION STANDARDS. A PROVINCIAL ELECTION SUPERVISOR IS AUTHORIZED TO HIRE CONTRACTUAL PERSONNEL TO PERFORM ADMINISTRATIVE OR CLERICAL WORKS FOR THE EXPEDIENCY OF SERVICE AND IN ACCORDANCE WITH CIVIL SERVICE LAWS.**

(3) ~~{City/Municipal}~~ **CITY, MUNICIPAL OR ELECTORAL DISTRICT ELECTION OFFICE**, headed by the ~~{City/Municipal Registrar}~~ **CITY, MUNICIPAL OR ELECTORAL DISTRICT ELECTION OFFICER** who shall be assisted by ~~{an election clerk}~~ **AT LEAST ONE (1) ELECTION ASSISTANT** and such other employees as the Commission may appoint, **IN ACCORDANCE WITH THE ORGANIZATION, STAFFING, POSITION CLASSIFICATION AND COMPENSATION STANDARDS. A CITY, MUNICIPAL OR ELECTORAL DISTRICT ELECTION OFFICER IS AUTHORIZED TO HIRE CONTRACTUAL PERSONNEL TO PERFORM ADMINISTRATIVE OR CLERICAL WORK FOR THE EXPEDIENCY OF SERVICE AND IN ACCORDANCE WITH THE CIVIL SERVICE LAWS.**

X X X

Section 4. New sections to be denominated as Sections 53-A and 53-B are hereby inserted after Section 53 of the same Act to read as follows:

SECTION 53-A. AUTOMATIC CREATION OF POSITIONS OF ELECTION OFFICERS AND ELECTION ASSISTANTS. – IF A NEW CITY, MUNICIPALITY OR ELECTORAL DISTRICT IS CREATED, THE POSITIONS OF ELECTION OFFICER AND ELECTION ASSISTANTS ARE AUTOMATICALLY CREATED, IN ACCORDANCE WITH THE ORGANIZATION, STAFFING, POSITION CLASSIFICATION AND COMPENSATION STANDARDS AND SUBJECT TO THE SUBMISSION TO THE DEPARTMENT OF BUDGET AND MANAGEMENT (DBM) OF A RESOLUTION STATING THE CHANGES IN THE ORGANIZATION AND STAFFING. THERE MUST BE ONE (1) ELECTION ASSISTANT FOR EVERY TWENTY THOUSAND (20,000) REGISTERED VOTERS.

SECTION 53.-B. ASSIGNMENT IN FIELD OFFICE. – NO OTHER PERSONNEL, EXCEPT THOSE MENTIONED IN SECTION 53 OF THIS ACT OR EXPRESSLY AUTHORIZED BY LAW, MAY BE ASSIGNED, DESIGNATED OR DETAILED AT ANY FIELD OFFICE OF THE COMMISSION. ANY PERSONNEL PERFORMING ADMINISTRATIVE OR CLERICAL WORK MAY ONLY BE HIRED BY THE HEAD OF THE FIELD OFFICE. VIOLATION OF THIS PROVISION CONSTITUTES AN ELECTION OFFENSE.

Section 5. Section 55 of the same Act is hereby amended to read as follows:

Section 55. Office space. – The ~~{local government concerned}~~ **COMMISSION** shall provide ~~{a suitable place for the office of the provincial election supervisor and his staff and the election registrar and his staff.}~~ **SEPARATE AND INDEPENDENT OFFICE SPACES FOR ITS FIELD OFFICES, THE COST OF WHICH SHALL BE CHARGED TO ITS YEARLY APPROPRIATIONS.** ~~{Provided, That in case of failure of the local government concerned to provide such suitable place, the provincial election supervisor or the election registrar, as the case may be upon prior authority of the Commission and notice to the local government concerned, may lease another place for office and the rentals thereof shall be chargeable to the funds of the local government concerned.}~~

Section 6. Appropriations. – The initial amount for the implementation of this Act shall be charged against the current available appropriations of the Commission. The subsequent funding shall be included in the annual General Appropriations Act.

Section 7. Plan to Transfer. – Within one (1) year from the effectivity of this Act, the Commission shall formulate a plan to transfer its field offices from the facilities of local government units to the facilities owned or leased by the Commission. The plan shall provide for a complete transfer of all field offices of the Commission within five (5) years from the effectivity of this Act.

Section 8. Implementing Rules and Regulations. – Within ninety (90) days from the effectivity of this Act, the COMELEC Chairperson shall, in coordination with the Secretary of the Interior and Local Government and the Secretary of Budget and Management, promulgate the rules and regulations implementing the provision of this Act.

Section 9. *Separability Clause.* – If any provision or part hereof is held invalid or unconstitutional, the remainder of this Act or the provision or part not otherwise affected shall remain valid and subsisting.

SECTION 10. *Repealing Clause.* – All other laws, decrees, orders, other issuances, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed, modified, or amended accordingly.

SECTION 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,