



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



Nineteenth Congress
Second Regular Session

HOUSE BILL NO. 9436

Introduced by **Representative MA. VICTORIA CO-PILAR**

EXPLANATORY NOTE

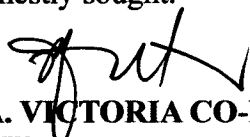
The Barangay being the smallest political unit in the country serves as the nerve cell of our national and local governments' programs and services. As the local and national government's partner in responding to developmental challenge as the grassroots level, our barangay officials face the heavy responsibilities of implementing national and local governments' development plans, allocation of basic services, programs and projects and maintenance of their community' peace and order. In addition, barangays also create and implement their own unique projects and programs within their jurisdiction.

The current three-year per term of barangay officials is too short to successfully implement policies, programs and reforms they intend to apply. Often, good policies and programs are either not implemented or disrupted due to sudden change of leadership. By extending the term of barangay officials and Sangguniang Kabataan members, from three-years to five-years per term, they can make well planned policies and projects and see through its successful implementation.

The additional two (2) years in the barangay officials and Sangguniang Kabataan's term will also allow the government to save on election expenditures and resources.

This bill seeks to extend the term of office of barangay officials and Sangguniang Kabataan members from three (3) years to five (5) years with a two-term limit. This bill also provides for limitation on recall of barangay officials which shall prescribe that no recall of any elective barangay officials to take place within two (2) years from date of assumption of office or two (2) years immediately preceding a regular or local election.

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


MA. VICTORIA CO-PILAR
6TH District, Quezon City



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AN ACT
CHANGING THE TERM OF OFFICE OF BARANGAY OFFICIALS AND
MEMBERS OF THE SANGGUNIANG KABATAAN FROM THREE (3) TO FIVE (5)
YEARS, AND PROVIDING FOR LIMITATION ON THEIR RECALL, AMENDING
FOR THE PURPOSE SECTION 43 (c) AND 74 OF REPUBLIC ACT NO. 7160, AS
AMENDED, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF
1991

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

Section 1. Section 43 (c) of the Republic Act No. 7160, otherwise known as the Local Government Code of 1991, as amended is hereby further amended to read as follows:

"SECTION 43. Term of Office. – (a) The term of office of all elective officials after the effectivity of this Code shall be three (3) years, starting from noon of June 30, 1992 or such date as may be provided for by law, except that of elective barangay officials and members of the sangguniang kabataan: *Provided, That* all local officials first elected during the local elections immediately following the ratification of the 1987 Constitution shall serve until noon of June 30, 1992.

(b) No elective official shall serve for more than three (3) consecutive terms in the same position. Voluntary renunciation of the office for any length of time shall not be considered as an interruption in the continuity of service for the full term for which the elective official concerned was elected.

(c) The term of office of barangay officials and members of the sangguniang kabataan shall be for [three (3)] FIVE (5) years, which shall begin after the regular election of barangay officials AND SANGGUNIANG KABATAAN MEMBERS who were elected on the FIFTH MONDAY OF OCTOBER 2023 elections shall

serve at the next regular elections of barangay officials: *PROVIDED, FURTHER,* THAT THE NEXT REGULAR ELECTIONS OF BARANGAY OFFICIALS SHALL BE HELD ON THE FIFTH MONDAY OF OCTOBER 2028 AND EVERY FIVE YEARS THEREAFTER.

“NO BARANGAY ELECTIVE OFFICIAL SHALL SERVE FOR MORE THAN TWO (2) CONSECUTIVE TERMS IN THE SAME POSITION, VOLUNTARY RENUNCIATION OF OFFICE FOR ANY LENGTH OF TIME SHALL NOT BE CONSIDERED AS AN INTERRUPTION IN THE CONTINUITY OF SERVICE FOR THE FULL TERM FOR WHICH THE ELECTIVE OFFICIAL WAS ELECTED.”

SEC. 2. Section 74 (c) of the Local Government Code, as amended, is hereby amended to read as follows:

“**SECTION 74. *Limitation on Recall.*** – (a) Any elective local official may be the subject of recall election only once during his term of office for loss of confidence.

(b) No recall shall take place within one (1) year from the date of the official’s assumption to office or one (1) year immediately preceding a regular or local election.

(c) NO RECALL OF ANY ELECTIVE BARANGAY OFFICIAL SHALL TAKE PLACE WITHIN TWO (2) YEARS FROM THE DATE OF THE OFFICIAL’S ASSUMPTION TO OFFICE OR TWO (2) YEARS IMMEDIATELY PRECEDING A REGULAR ELECTION.”

SEC. 3. All laws, decrees, executive orders, rules and regulations, which are inconsistent with this Act are hereby amended, repealed or modified accordingly.

SEC. 4. Within ninety (90) days, the commission on Elections (COMELEC) shall issue the necessary rules and regulations to implement the provisions of this Act.

SEC. 5. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,