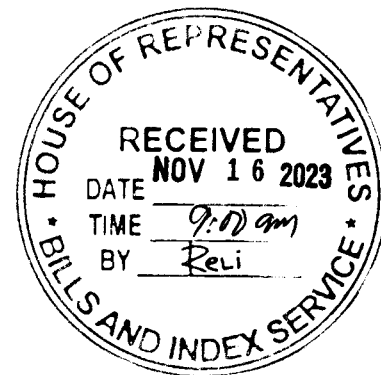


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL No. **9561**



Introduced by: **HONORABLE ROSEMARIE CONEJOS PANOTES**

EXPLANATORY NOTE

The recent Supreme Court ruling in the case of Macalintal versus Comelec, G.R. 263590 (June 27, 2023) has declared as unconstitutional Republic Act No. 11935, the law which postponed the holding of Barangay and Sangguniang Kabataan elections (BSKE) from its initial schedule of December 5, 2022 to the last Monday of October 2023. However, the Supreme Court recognized the practicality and necessity of proceeding with the conduct of BSKE on the last Monday of October 2023. The Supreme Court ruling therefore directing the Comelec to conduct just the same the BSKE on December 5, 2025 as mandated by Republic Act No. 11462 will effectively shortened the term of Barangay and Sangguniang Kabataan officials to two (2) years and two (2) months.

The election of barangay officials and members of the sangguniang kabataan is supposed to be a non-partisan political activity. Yet, our experience in so many past elections had shown time and again that barangay elections cannot be totally insulated from the undue influence of partisan politics. Thus, it has caused divisiveness and has its share of some deplorable practices that trigger instances of violence among political leaders and supporters. In fact, news reports reveal that the recently concluded barangay and sangguniang kabataan elections had recorded the most number of deaths and injured in recent memory.

This bill seeks to change the term of barangay officials and members of the sangguniang kabataan from three (3) years to five (5) years as the holding of BSKE for a much longer period of time will provide a more breathing space for family divisiveness and election violence not to mention the cost to be entailed by the government for the holding of such political exercise.

In view of the foregoing reasons, the immediate approval of this important piece of legislation is earnestly sought.


ROSEMARIE CONEJOS PANOTES
Representative
Second District, Camarines Norte

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
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HOUSE BILL No. **9561**

Introduced by: HONORABLE ROSEMARIE CONEJOS PANOTES

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

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

SECTION 1. Section 43 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, as amended, is hereby 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 for 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 local 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 on the **LAST MONDAY OF OCTOBER 2023**.

SEC. 2. Republic Acts Numbered 8524, 9164, 9340, 10632, 10656, 10923, 11462, and 11935, and all other laws, decrees, executive orders, rules and regulations which are inconsistent with this Act are hereby amended, repealed or modified accordingly.

SEC. 3. This Act shall take effect fifteen (15) after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,