

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 1523



Introduced by: Hon. Keith Micah "Atty. Mike" D.L. Tan

AN ACT
PROVIDING FOR EARLY VOTING BY QUALIFIED PERSONS WITH DISABILITIES IN
NATIONAL AND LOCAL ELECTIONS

EXPLANATORY NOTE

Article V, Section 1 of the Philippine Constitutions provides that, "Suffrage may be exercised by all citizens of the Philippines not otherwise disqualified by law, who are at least eighteen years of age, and who shall have resided in the Philippines for at least one year and in the place wherein they propose to vote for at least six months immediately preceding the election. No literacy, property, or other substantive requirement shall be imposed on the exercise of suffrage."

The right to suffrage is the essence of our democracy. As a means to increase participation by citizens who are otherwise prevented from voting, the country has enacted absentee voting laws. Presently, there are laws that allow absentee voting for Filipinos overseas, media practitioners, armed forces and police force. However, these still leave another group disenfranchised due to their physical conditions.

Persons with disabilities (PWDs) have a significant role to play in nation building. As such, it is important to ensure that their voices will be heard and their votes will be counted during elections. Many PWDs face physical, sensory, or cognitive challenges that make it difficult to wait in long lines, navigate crowded or poorly designed polling places, or cope with time constraints on election day. Early voting offers them the flexibility to vote at a time when polling places are less crowded and staff can provide more focused assistance, allowing them to cast their vote with dignity and comfort.

Hence, this bill provides for means for PWDs stationed away from their residences on election days to vote on national elections in the precincts nearest to them subject to reasonable regulations by the Commission on Election.

In view thereof, approval of this bill is earnestly requested.


Keith Micah "Atty. Mike" D.L. Tan
4th District, Quezon

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

SECTION 1. *Declaration of Policy.* – It is hereby declared the policy of the State to make voting convenient for persons with disabilities (PWDs) by giving them the option to vote earlier than the date set for the elections.

SEC. 2. *Early Voting.* – For national and local elections, there shall be early voting where qualified PWDs may choose to cast their ballot at accessible establishments designated by the Commission on Elections (COMELEC) within seven (7) working days before the date set for the elections.

SEC. 3. *Registration.* – There shall be a nationwide registration for PWDs to qualify them to avail of this early voting privilege. Those who are not registered under this Act shall vote on Election Day.

SEC. 4. *Obligations of the COMELEC.* – To ensure the effective implementation of this Act, the COMELEC shall:

- (a) Keep a record of PWDs who are registered voters;
- (b) Design a registration system, in coordination with local government units, the National Council on Disability Affairs, the Commission on Human Rights, the Department of Health and the Department of Interior and Local Government, that allows PWDs to register and opt for early voting;
- (c) Ensure that polling places are safe and accessible to PWDs and properly fitted with the necessary communication, visual and physical aids, as mandated under Republic Act No. 10366 entitled, "An Act Authorizing the Commission on Elections to Establish Precincts Assigned to Accessible Polling Places Exclusively for Persons with Disabilities and Senior Citizens"; and
- (d) Mount an intensive information campaign on early voting for qualified senior citizens.

SEC 5. *Appropriations.* – The initial amount for the implementation of this Act shall be charged against the current year's appropriations of the COMELEC. Thereafter, the funding of which shall be included in the Annual General Appropriations Act.

SEC. 6. *Applicability of Other Laws.* – The provisions of Batas Pambansa Big. 881 or the Omnibus Election Code; Republic Act No. 7166, entitled, "An Act Providing for Synchronized National and Local Elections and for Electoral Reforms, Authorizing Appropriations Therefor, and for Other Purposes"; and other election laws not inconsistent herewith shall be applied to facilitate early voting for qualified senior citizens.

SEC. 7. *Implementing Rules and Regulations.* – Within ninety (90) days from its effectivity, the Commission shall promulgate the rules and regulations for the implementation of this Act.

SEC. 8. *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.

SEC 9. *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.

SEC. 10. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,