



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
First Regular Session



HOUSE BILL NO. **4257**

Introduced by Representatives Ferdinand Martin G. Romualdez, Yedda Marie K. Romualdez, Andrew Julian K. Romualdez and Jude A. Acidre

AN ACT
STRENGTHENING THE PROCEDURE FOR REGISTRATION OF
VOTERS AND ADOPTING A SYSTEM OF ONLINE REGISTRATION,
AMENDING FOR THE PURPOSE SECTIONS 2, 3, 8, 9, 10, 12, 13, 22, 23,
24, 29, 32, 33 AND 45 OF REPUBLIC ACT NO. 8189, OTHERWISE
KNOWN AS THE “VOTER’S REGISTRATION ACT OF 1996”

EXPLANATORY NOTE

The right of suffrage under Section 1, Article V of the 1987 Philippine Constitution is one of the most heavily guarded rights of Filipinos. Jurisprudence is replete with examples of how our society has proscribed any actual or constructive restraint against the exercise of the right of suffrage to prevent disenfranchisement of voters.

In *People v San Juan*, then Justice Castro opined that “*the right of suffrage must remain undefiled at the starting level of its expression and application, every assumption must be indulged in and every guarantee adopted to assure the unmolested exercise of the citizen’s free choice. For to impede, without authority valid in law, the free and orderly exercise of the right of suffrage is to inflict the ultimate indignity on the democratic process.*”¹

Accordingly, a crucial element in the exercise of one’s right of suffrage is one’s registration as a voter since in our jurisdiction, non-registration will prevent

¹ *People v. San Juan*, GR No. L-22944, February 10, 1968

one from exercising their right of suffrage. Thus, the government must ensure an enabling environment for people to register as voters.

In response to this, Republic Act No. 8189, otherwise known as the “Voter’s *Registration Act of 1996*,” was enacted to systematize the method of registration to establish a clean, complete, permanent, and updated list of voters. Under this law, qualified applicants are required to appear personally at the local Commission on Elections (COMELEC) offices in their city or municipality of residence to register. In complementary thereto, Republic Act No. 10367, otherwise known as the Mandatory Biometrics Voter Registration, mandates voters to submit their biometrics² through data capture machines.

However, the coronavirus disease 2019 (COVID-19) pandemic has brought numerous obstacles to the efforts of the COMELEC to secure the registration of voters. Health and safety restrictions, such as lockdowns, community quarantines, and social distancing requirements, were imposed, thereby resulting in the closure or limited operations of registration centers. This also led to backlogs and increased demand once operations resumed, overwhelming local COMELEC offices. Further, even the establishment of new satellite offices did not address the mounting demands. Quarantine protocols affected COMELEC employees leading to staff shortages. Resources were also diverted to pandemic responses, allocating COMELEC’s funding to additional safety equipment, logistics, or extended operations.

And although COMELEC launched initiatives like the iRehistro system, it was only for appointment setting, not full registration. This means that individuals still need to appear in person at their respective local COMELEC offices.³

To avoid such difficulties and to ensure the continuous registration of voters, the government should be proactive and adopt innovation measures, such as online voter’s registration, to facilitate voter’s registration during times of pandemic and for it to continually fulfill its mandate of protecting the Filipino’s right of suffrage.

Thus, this bill aims to strengthen the voter registration process and introduce a system of online registration by amending R.A. No. 8189 which was enacted almost three decades ago. In doing so, it enhances the resilience of the electoral system against unforeseen calamities such as the COVID-19 pandemic

² Biometrics refers to the quantitative analysis that provides a positive identification of an individual such as voice, photograph, fingerprint, signature, iris and/or such other identifiable features.

³ COMELEC’s iRehistro Webpage <https://comelec.gov.ph/?r=VoterRegistration/iRehistro>

and also establishes an efficient, convenient, and cost-effective mechanism for long-term voter registration that benefits the Filipino electorate.

Patterned after the approved Third Reading version of the measure filed during the 19th Congress, this bill proposes the following reforms:

- **Modernized and Online Registration.** Integrates technological advancements in the country's voting registration (Sec. 3 and 5) and preservation of records (Sec. 8, 10).
- **Strengthened NGAs.** Directs the Philippine Statistics Authority (PSA) to cancel quarterly the registration records of those who have died (Sec. 11); Waives court fees when the COMELEC is the petitioner of a case on the exclusion of voters (Sec. 13).

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



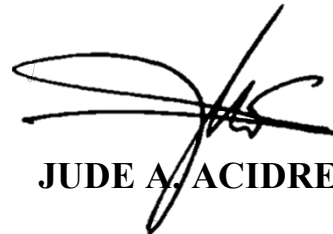
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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 2 of Republic Act No. 8189, otherwise known as “The Voter’s Registration Act of 1996”, is hereby amended to read as follows:

“SEC. 2. *Declaration of Policy.* – It is the policy of the State to [systematize the present method of registration in order to establish a clean, complete, permanent, and updated list of voters] **ESTABLISH A SYSTEM OF REGISTRATION THAT ENSURES AND GUARANTEES A CLEAN, COMPLETE, PERMANENT, AND UPDATED LIST OF VOTERS. TO ENCOURAGE AND ENSURE A CONTINUING SYSTEM OF VOTER REGISTRATION, THE**

STATE SHALL ADOPT AND MAKE USE OF TECHNOLOGIES THAT SHALL FACILITATE AND ALLOW THE AUTOMATED AND ONLINE REGISTRATION OF VOTERS AS AN OPTION, TAKING INTO ACCOUNT THE INTEGRITY, COMPLETENESS, AND ACCURACY OF THE LIST OF VOTERS.”

SEC. 2. Section 3 of the same Act is hereby amended to read as follows:

“SEC. 3. *Definition of Terms.* – As used in this Act:

(a) *Registration* refers to the act of accomplishing and filing of a sworn application for registration by a qualified voter **ONLINE OR** before the election officer of the city or municipality wherein [he] **THE APPLICANT** resides and including the same in the book of registered voters upon approval by the Election Registration Board. **REGISTRATION LIKEWISE REFERS TO OTHER PROCESSES ATTENDANT TO BEING A QUALIFIED VOTER SUCH AS THE REACTIVATION OF VOTER REGISTRATION RECORDS, TRANSFER OF VOTER REGISTRATION RECORDS, AND CORRECTION OF ENTRIES THEREIN.**

X X X

(n) *Election Officer* refers to the highest official or authorized representative of the Commission in a city or municipality; [and]

(o) *Board of Election Inspectors* refers to the body which conducts the election in the polling place of the precinct usually composed of three (3) public school teachers appointed by the Commission[.]; **AND**

(P) *DISINTERESTED WITNESS* REFERS TO A REGISTERED VOTER IN THE SAME BARANGAY WHERE THE APPLICANT SEEKS TO REGISTER AND WHO RESIDES THEREAT, ATTESTING TO A CERTAIN FACT, THE IDENTITY, PERSONAL CIRCUMSTANCES AND RESIDENCE OF THE APPLICANT, BUT HAS NO PERSONAL ADVANTAGE OR DISADVANTAGE ON THE APPROVAL OR DISAPPROVAL OF THE APPLICANT'S VOTER REGISTRATION. A DISINTERESTED WITNESS SHOULD NOT BE RELATED TO THE APPLICANT WITHIN THE FOURTH (4TH) CIVIL DEGREE OF CONSANGUINITY OR AFFINITY: *PROVIDED, HOWEVER*, THAT NO DISINTERESTED WITNESS SHALL BE ALLOWED TO IDENTIFY MORE THAN THREE (3) APPLICANTS."

SEC. 3. Section 8 of the same Act is hereby amended to read as follows:

"SEC. 8. *System of Continuing Registration of Voters.* – The personal **OR ELECTRONIC filing of application [of] **FOR** registration of voters shall be conducted daily in the office of the Election Officer during regular office hours[.] **OR THROUGH THE OFFICIAL WEBSITE OF THE COMMISSION.** No registration shall, however, be conducted [during the period starting] **WITHIN** one hundred twenty (120) days before a regular election and ninety (90) days before a special election."**

SEC. 4. Section 9 of the same Act is hereby amended to read as follows:

“SEC. 9. *Who may register.* – All citizens of the Philippines not otherwise disqualified by law who are at least eighteen (18) years of age, and who shall have resided in the Philippines for at least one (1) year, and in the [place] **BARANGAY** wherein they propose to vote, for at least six (6) months immediately preceding the election, may register as a voter [,]: **PROVIDED HOWEVER, THAT A PERSON SHALL BE ALLOWED TO REGISTER BY PRESENTING ANY VALID PROOF OF RESIDENCE, SUCH AS THE FOLLOWING:**

A. TAX DECLARATION OR PROOF OF PAYMENT OF REAL PROPERTY TAX, OR A CERTIFICATION FROM THE LANDOWNER OR LESSOR OF RESIDENTIAL UNIT, APARTMENT, CONDOMINIUM, DORMITORY OR SIMILAR DWELLING UNITS WHERE THE APPLICANT IS RESIDING AT THE TIME OF REGISTRATION;

B. A RECENT HOUSEHOLD UTILITY BILL FOR GAS, ELECTRIC, WATER, TELEPHONE, CABLE, OR INTERNET CONSUMPTION, OR A STATEMENT OF ACCOUNT FOR MOBILE PHONE SUBSCRIPTION OR CREDIT CARD, UNDER THE APPLICANT’S NAME;

C. AFFIDAVIT OF AT LEAST TWO DISINTERESTED WITNESSES AS DEFINED IN SECTION 3 OF THIS ACT THAT

**THE APPLICANT IS A RESIDENT OF THE PLACE OF
REGISTRATION; OR**

**D. OTHER COMPETENT PROOFS OF RESIDENCE DECIDED
UPON AND PROMULGATED BY THE COMMISSION.**

Any person who temporarily resides in another [city, municipality] **BARANGAY** or **ANOTHER** country solely by reason of [his] **ONE’S** occupation, profession, employment in private or public service, educational activities, work in the military or naval reservations within the Philippines, service in the Armed Forces of the Philippines, the National Police Forces, or confinement or detention in government institutions in accordance with law, shall not be deemed to have lost [his] **THE** original residence.

x x x”

SEC. 5. Section 10 of the same Act is hereby amended to read as follows:

“SEC. 10. *Registration of Voters.* – A qualified voter shall be registered in the permanent list of voters in a precinct of the city or municipality [wherein he] **WHERE THE VOTER** resides to be able to vote in any election. To register as a voter, [he] **THE APPLICANT** shall personally **OR ELECTRONICALLY** accomplish an application form for registration as prescribed by the Commission [in three (3) copies before the Election Officer] **AND PERSONALLY SUBMIT THE ACCOMPLISHED FORM TO THE OFFICE OF THE ELECTION OFFICER OF THE CITY OR MUNICIPALITY WHERE THE VOTER RESIDES** on any date during office hours, **OR THROUGH**

THE OFFICIAL WEBSITE OF THE COMMISSION [after having acquired the qualifications of a voter].

X X X

The application for registration [shall contain three (3) specimen signatures of the applicant, clear and legible rolled prints of his left and right thumbprints, with four (4) identification size copies of his latest photograph, attached thereto, to be taken at the expense of the Commission] **MAY BE SUBMITTED PERSONALLY OR ELECTRONICALLY AND SHALL BE PROCESSED IN ACCORDANCE WITH REPUBLIC ACT NO. 10367 ENTITLED “AN ACT PROVIDING FOR MANDATORY BIOMETRICS VOTER REGISTRATION” AT THE EXPENSE OF THE COMMISSION.**

Before the applicant accomplishes [his] **THE** application for registration, the Election Officer shall inform [him] **THE APPLICANT** of the qualifications and disqualifications prescribed by law for a voter, and thereafter, see to it that the accomplished application contains all the data therein required and that the applicant’s specimen signatures, fingerprints, and photographs are properly affixed in [all copies of] the voter’s application.

IN CASE OF ONLINE SUBMISSION OF APPLICATION FOR REGISTRATION BY AN APPLICANT, THE COMMISSION SHALL SEND A NOTICE CONFIRMING ITS RECEIPT OF THE APPLICATION AND PROVIDE INSTRUCTIONS ON HOW THE

APPLICANT MAY CHECK THE STATUS OF THE APPLICATION.

FURTHERMORE, THE COMMISSION SHALL EMPLOY DATA SECURITY MEASURES WHICH ARE NECESSARY TO ENSURE THE ACCURACY AND INTEGRITY OF ELECTRONICALLY SUBMITTED VOTER REGISTRATION APPLICATIONS.”

SEC. 6. Section 12 of the same Act is hereby amended to read as follows:

*“SEC. 12. Change of Residence to another [City or Municipality] **BARANGAY**. – Any registered voter who has transferred residence to another [city or municipality] **BARANGAY** may apply with the Election Officer of [his] **THE CITY OR MUNICIPALITY IN WHICH THE VOTER’S** new residence **IS LOCATED** for the transfer of [his] **THE VOTER’S** registration records.*

NO TRANSFER OF A VOTER’S REGISTRATION TO ANOTHER BARANGAY SHALL BE ALLOWED WITHIN ONE HUNDRED TWENTY (120) DAYS BEFORE A REGULAR ELECTION AND NINETY (90) DAYS BEFORE A SPECIAL ELECTION.

The application for transfer of registration shall be subject to the requirements of notice and hearing and the approval of the Election Registration Board, in accordance with this Act. Upon approval of the application for transfer, and after notice of such approval to the Election Officer of the former residence of the voter, said Election Officer shall transmit by registered mail **OR OTHER MODES OF SAFE, SECURE**

AND FAST TRANSMISSION the voter's registration record to the Election Officer of the voter's new residence."

SEC. 7. Section 13 of the same Act is hereby amended to read as follows:

"SEC. 13. *Change of Address [in the same city or municipality]*. – Any voter who has changed [his] address [in the same city or municipality] **WHICH SHALL NOT FALL UNDER A CHANGE IN BARANGAY AS PROVIDED FOR UNDER SECTION 12 OF THIS ACT** shall immediately notify the Election Officer in writing. If the change of address involves a change in precinct, the Board shall transfer [his] **THE** registration record to the [precinct] book of voters of [his] ~~THE registration record to the [precinct] book of voters of [his]~~ **THE** new precinct and notify the voter of [his] **THE** new precinct. All changes of address shall be reported to the office of the provincial election supervisor and the Commission in Manila."

SEC. 8. Section 22 of the same Act is hereby amended to read as follows:

"SEC. 22. Preservation of Voter's Registration Records. – The Election Officer shall compile the [original] copies of the approved applications for registration per precinct, [and] arrange the same alphabetically according to surname[. He shall] **AND** preserve the book of voters and ensure its integrity. [The second and third copies of the registration records] **THE COPY OF THE APPROVED APPLICATION FOR REGISTRATION SHALL BE SCANNED BY THE ELECTION OFFICER AND THE SCANNED COPY** shall be sent to the provincial

and national central files within [three (3)] **FIVE (5)** days after the approval of the Board.

ALL APPROVED APPLICATIONS FILED DURING THE REGISTRATION PERIOD IN THE LOCAL VOTER’S DATABASE SHALL BE EXTRACTED AND STORED IN A UNIVERSAL SERIAL BUS (USB) OR OTHER STORAGE DEVICES AND SENT TO THE APPROPRIATE OFFICE OF THE PROVINCIAL ELECTION SUPERVISOR AND TO THE INFORMATION TECHNOLOGY DEPARTMENT OF THE COMMISSION.”

SEC. 9. Section 23 of the same Act is hereby amended to read as follows:

“SEC. 23. *Provincial File.* – There shall be a provincial file consisting of the [duplicate] **SCANNED** copies of all registration records in each precinct of every city and municipality in the province. It shall be in the custody of the Provincial Election Supervisor and shall be compiled and arranged by precinct, by municipality and alphabetically by surnames of voters.

x x x”

SEC. 10. Section 24 of the same Act is hereby amended to read as follows:

“SEC. 24. *National Central File.* – There shall be a national central file under the custody of the Commission in Manila consisting of the [third] **SCANNED** copies of all approved voter registration records in each city or municipality. It shall be compiled by precinct in each city [/] **OR**

municipality and arranged alphabetically by **DATE OF BOARD HEARING** [surname so as to make the file replica of the book of voters in the possession of the Election Officer. Thereafter a national list shall be prepared following the alphabetical arrangements of surnames of voters].

[There shall be a national file consisting of the computerized voters' list (CVL), both in print and in diskette,] **A COMPLETE FILE OF ALL REGISTERED VOTERS SHALL BE** submitted by the Election Officers [in] **OF** each city and municipality [concerned, under the custody of] **TO** the Commission in Manila[.] **WHICH SHALL KEEP COPIES OF THESE FILES IN ITS COMPUTERIZED DATABASE AND PRINTED RECORDS, AND EXERCISE CUSTODIAL RESPONSIBILITY OVER THEM.**

x x x”

SEC. 11. Section 29 of the same Act is hereby amended to read as follows:

“SEC. 29. *Cancellation of Registration.* – The Board shall cancel the registration records of those who have died as certified by the [Local Civil Registrar] **THE PHILIPPINE STATISTICS AUTHORITY (PSA) ON A QUARTERLY BASIS. THE PROCESSING FEES OF THE QUARTERLY CERTIFIED LIST OF PERSONS WHO DIED AS REQUESTED BY THE COMMISSION TO PSA SHALL BE WAIVED.** The [Local Civil Registrar] **PSA** shall submit each month a certified list of persons who died during the previous month to the Election Officer of the place where the deceased are registered. In the absence of information concerning the place where the deceased are registered, the list

shall be sent to the Election Officer of the city or municipality of the deceased's residence as appearing in [his] **THE** death certificate. In any case, the [Local Civil Registrar] **PSA** shall furnish a copy of this list to the national central file and the proper provincial file.

THE PSA SHALL ENSURE THAT ITS DATA PRIVACY NOTICE SUFFICIENTLY INFORMS AFFECTED PARTIES THAT THEIR PERSONAL INFORMATION IS TO BE PROCESSED AND SHARED WITH THE COMMISSION TO ENABLE THE LATTER TO FULFILL ITS CONSTITUTIONAL MANDATE TO INITIATE VOTER INCLUSION AND EXCLUSION PROCEEDINGS AND TO ESTABLISH A CLEAN, COMPLETE, PERMANENT, AND UPDATED LIST OF VOTERS UNDER THIS ACT, AND AS ALLOWED BY SECTION 12(E) OF REPUBLIC ACT NO. 10173, OTHERWISE KNOWN AS THE DATA PRIVACY ACT OF 2012.

x x x”

SEC. 12. Section 32 of the same Act is hereby amended to read as follows:

“SEC. 32. Common Rules Governing Judicial Proceedings in the Matter of Inclusion, Exclusion, and Correction of Names of Voters. –

x x x

(d) No cost [s] shall be assessed against any party in these proceedings. However, if the court should find that the application has been filed solely to harass [the adverse party] and cause [him] **THE ADVERSE PARTY** to

incur expenses, it shall order the culpable party to pay the costs and incidental expenses. **NO COST SHALL LIKEWISE BE ASSESSED AGAINST THE COMMISSION WHEN IT FILES A PETITION FOR EXCLUSION;**

x x x”

SEC. 13. Section 33 of the same Act is hereby amended to read as follows:

“SEC. 33. *Jurisdiction in Inclusion and Exclusion Case.* – The Municipal and Metropolitan Trial Courts shall have original and exclusive jurisdiction over all cases of inclusion and exclusion of voters in their respective cities or municipalities[.]; **PROVIDED, THAT WHEN THE COMMISSION IS THE PETITIONER OF A CASE ON EXCLUSION OF VOTERS, FILING AND OTHER COURT FEES SHALL BE WAIVED.** Decisions of the Municipal or Metropolitan Trial Courts may be appealed by the aggrieved party to the Regional Trial Court within five (5) days from receipt of notice thereof. Otherwise, said decision shall become final and executory. The regional trial court shall decide the appeal within ten (10) days from the time it is received and the decision shall immediately become final and executory. No motion for reconsideration shall be entertained.

SEC. 14. Section 45 of the same Act is hereby amended to read as follows:

“SEC. 45. *Election Offenses.* – The following shall be considered election offenses under this Act:

X X X

(i) The posting of a list of voters outside or at the door of a precinct on the day of an election, plebiscite, referendum, initiative and/or recall, and which list is different in contents from the certified list of voters being used by the Board of Election Inspectors; [and]

(j) [Violation of the provisions of this Act] **THE TRANSFER OF A VOTER'S REGISTRATION OF RESIDENCE CONTRARY TO THE PROVISIONS OF SECTION 12 OF THIS ACT; AND**

(K) VIOLATION OF ANY OTHER PROVISIONS OF THIS ACT.

SEC. 15. *Appropriations.* – The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriations of the Commission on Elections. Thereafter, such amount shall be included in the annual General Appropriations Act.

SEC. 16. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity of this Act, the Commission on Elections, in consultation with the Department of Information and Communications Technology, Department of Science and Technology, Department of the Interior and Local Government, National Commission for Senior Citizens, and other stakeholders shall promulgate the rules and regulations for the effective implementation of this Act.

SEC. 17. *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. 18. *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. 19. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,