

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila
TWENTIETH CONGRESS
First Regular Session
House Bill No. 4426



Introduced by Representative

BRIAN DANIEL POE LLAMANZARES, PhD, MNSA

**AN ACT PROVIDING ALTERNATIVE MODES OF VOTING FOR PERSONS IN
VULNERABLE SITUATIONS TO EXERCISE THEIR RIGHT OF SUFFRAGE,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10366, PROVIDING FUNDS
THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The 1987 Constitution guarantees the right of suffrage to all citizens of the Philippines not otherwise disqualified by law. It is the duty of the State to ensure that this fundamental right is fully exercised by all, regardless of age, condition, or circumstance. However, in practice, various sectors such as senior citizens, persons with disabilities, pregnant women, indigenous peoples, internally displaced persons, persons deprived of liberty, health workers, quarantined and hospitalized individuals, repatriated overseas voters, migrant workers, and Overseas Filipino Workers in distress, continue to face significant barriers in exercising their right to vote.

Republic Act No. 10366, enacted in 2013, sought to address this concern by authorizing the Commission on Elections (COMELEC) to establish accessible polling places for persons with disabilities and senior citizens. While this was an important step forward, experience during successive elections has shown that the law's coverage remains inadequate. The COVID-19 pandemic, for instance, highlighted the vulnerabilities of additional groups such as health workers on duty, quarantined and hospitalized voters, and repatriated overseas voters who are unable to access traditional voting mechanisms. The current law must therefore be expanded and

updated to ensure that all qualified voters, particularly those in vulnerable situations, are guaranteed meaningful access to the ballot.

This measure seeks to amend Republic Act No. 10366 by broadening the scope of voters entitled to alternative modes of voting and by institutionalizing additional mechanisms to secure their political participation. It mandates the extension of the local absentee voting system to cover not only government officials and the military, but also senior citizens, persons with disabilities, pregnant women, and internally displaced persons. It authorizes emergency accessible polling places to be established in residences, hospitals, jails, quarantine facilities, evacuation centers, and other appropriate locations, ensuring that voters in vulnerable situations can cast their ballots in a safe, accessible, and dignified manner. It likewise provides for improved accessibility features in polling places, the provision of transportation services to and from voting centers, and the creation of a Vulnerable Sectors Office within COMELEC to oversee and supervise the implementation of the law.

By adopting these reforms, this bill upholds the constitutional mandate to guarantee equal access to political participation for all citizens, particularly those disadvantaged by age, disability, health, displacement, or detention. It recognizes that the right of suffrage cannot be meaningfully exercised if physical, social, or institutional barriers prevent citizens from accessing the polls. The enactment of this measure will therefore strengthen the democratic foundations of the nation by ensuring that every qualified Filipino is able to exercise his or her right to vote without restriction.

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

A handwritten signature in black ink, reading "Brian Poe", with a stylized, flowing script.

HON. BRIAN DANIEL POE LLAMANZARES, PhD, MNSA

Representative

FPJ Panday Bayanihan Party-List

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

SECTION 1. *Declaration of Policy.* - The State shall ensure that senior citizens, persons with disabilities (PWDs), pregnant women, indigenous peoples (IPs), internally displaced persons (IDPs), persons deprived of liberty (PDLs), and in special circumstances, health workers, quarantined and hospitalized persons, repatriated overseas voters, migrant workers, and Overseas Filipino Workers (OFWs) in distress, are able to exercise their right to political participation without restrictions. The State shall devise systems and procedures that will enhance accessibility in their voting process.

SECTION 2. *Definition of Terms. -As used in this Act, the term:*

- (a) "Commission" refers to the Commission on Elections;
- (b) "Senior citizens" refer to qualified voters who are sixty (60) years or older;
- (c) "Persons with disabilities" refer to qualified voters who have long term physical, mental, intellectual, or sensory impairments, which, in interacting with various barriers, may hinder their full and effective participation in society on an equal basis with others;
- (d) "Pregnant women" refer to qualified voters who are pregnant during election day regardless of the trimester of pregnancy. For purposes of local absentee voting, the term shall refer to qualified voters who are pregnant at the time of registration for absentee voting and are expected to remain pregnant during the period of absentee voting;
- (e) "Indigenous peoples" refer to qualified voters who belong to a group of people or a homogenous society identified by self-ascription and ascription by others, who have continuously lived as an organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed, and utilized such territories, sharing common bonds of language, customs, traditions, and other distinctive cultural traits, or who have, through resistance to political, social, and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from the majority of Filipinos. IPs shall likewise include people who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural, and political institutions, but who may have been displaced from their traditional domains or who may have been resettled outside their ancestral domains;
- (f) "Internally displaced person" refers to a qualified voter who has been forced or obliged to flee or leave one's home or place of habitual residence within the national borders as a result of, or in order to avoid or minimize, the effects of armed conflict, situations of generalized and/or organized violence, violations of human rights, implementation of development projects, or natural and human-induced or human-made hazards or disasters;
- (g) "Person deprived of liberty" refers to a qualified voter, who is a detainee, inmate, prisoner, or person under confinement or custody in any other manner;
- (h) "Health workers" shall mean qualified voters who are engaged in health related work, and all persons employed in all hospitals, sanitarium, health infirmaries, health centers, rural health units, barangay health stations, clinics, and other health related establishments owned and operated by the government or its political subdivisions with original charters and shall include medical, allied

health professional, administrative and support personnel, regardless of their employment status;

- (i) "Quarantined and hospitalized persons" shall refer to qualified voters who are quarantined or are receiving medical treatment in quarantine facilities and hospitals accredited by the Commission due to an existing public health emergency; and
- (j) "Repatriated overseas voter" refers to a citizen of the Philippines registered and allowed to vote under Republic Act No. 9189, as amended, but was repatriated due to special circumstances such as armed conflict, issues in international relations, state of emergency or calamity, or any other analogous circumstance beyond the control or fault of the voter.

SECTION. 3. *Local Absentee Voting.* -The Commission shall extend the right to vote under the Local Absentee Voting System to senior citizens, PWDs, pregnant women, and IDPs qualified to vote, as provided in existing laws and executive orders. They may cast their ballot at accessible establishments designated by the Commission, for a period of not less than two (2) days within seven (7) calendar days before the election.

In the event of a public health emergency, health workers on official duty and quarantined and hospitalized persons qualified to vote may avail of the right to Local Absentee Voting.

A repatriated overseas voter may avail of the right to Local Absentee Voting only if such voter's repatriation was due to special circumstances such as armed conflict, issues in international relations, state of emergency or calamity, or any other analogous circumstances beyond the control or fault of the voter.

The Commission shall designate accessible polling places, defined under Section 2(j) of Republic Act No. 10366, as amended, for senior citizens, PWDs, and pregnant women.

There shall be nationwide registration of senior citizens, PWDs, pregnant women, IDPs, and in special circumstances, health workers, quarantined and hospitalized persons, and repatriated overseas voters, who wish to avail of the Local Absentee Voting. Those who are not registered under the Local Absentee Voting system shall be allowed to vote on election day.

SECTION. 4. *Emergency Accessible Polling Places (EAPP).* - During election day, the Commission shall designate rooms or makeshift or temporary polling places at residences for senior citizens; jails, prison facilities or detention centers; quarantine and hospital facilities; areas with a substantial number of IDPs; remote areas; and in such other places as may be necessary to ensure an efficient and expeditious voting process for senior citizens, PWDs, pregnant women, IDPs, PDLs, IPs, and in special circumstances, health care workers on duty and qualified repatriated overseas voters.

The Commission shall ensure that, as far as practicable and necessary, and the EAPPs shall have the same features and offer the same assistive services found in Accessible Polling Places, defined under Section 2(j) of Republic Act No. 10366, as amended, and that the voting procedure in the EAPPs, including the facilities and materials, is adequate, appropriate, accessible, easy to understand and use, and that reasonable accommodation shall be granted to the persons named in the preceding paragraph to ensure the full exercise of their right of suffrage.

SECTION 5. Section 2(j) of Republic Act No. 10366 is hereby amended to read as follows:

“SEC. 2. Definition of Terms. - xxx

(a) xxx.

xxx.

(j) Accessible polling place refers to the venue where the ~~the [Board of Election Inspectors (BEIs)]~~ **ELECTORAL BOARD** conducts election-related proceedings and where the voters cast their votes. The accessible polling place shall be located at the ground floor, preferably near the entrance of the building, ~~[and is]~~ **READILY ACCESSIBLE TO PUBLIC TRANSPORTATION**, free of any physical barriers and provided with ~~[necessary services, including assistive 3 devices]~~ **NECESSARY INFRASTRUCTURE INCLUDING ASSISTIVE DEVICES, TRANSPORT WHEELCHAIRS, RAMPS, RAILINGS, SIDEWALKS, ADEQUATE LIGHTING, VENTILATION, SUFFICIENT SIGNAGE AND DIRECTIONAL SIGNS, LISTS OF CANDIDATES TRANSCRIBED IN BRAILLE, AND OTHER FEATURES FOR PWDS, PREGNANT WOMEN, AND SENIOR CITIZENS, AS WELL AS SUPPORT SERVICES OF EXPERTS IN ASSISTING PERSONS WITH DISABILITIES SUCH AS SIGN LANGUAGE INTERPRETERS. ACCESSIBLE POLLING PLACES SHALL BE LOCATED IN PUBLIC SCHOOLS, TOWN HALLS OR PLAZAS, CIVIC CENTERS, COMMUNITY CENTERS, OR OTHER SIMILARLY DESIGNATED VENUES. IN DESIGNATING THE ACCESSIBLE POLLING PLACES, THE COMMISSION SHALL GIVE PREFERENCE TO VENUES DESIGNED WITH SPECIAL FEATURES TO ENSURE THE SAFETY AND COMFORT OF SENIOR CITIZENS, PREGNANT WOMEN, AND PERSONS WITH DISABILITIES."**

SECTION. 6. Section 9 of Republic Act No. 10366 is hereby deleted and a new Section 9 shall be inserted to read as follows:

“SEC. 9. DESIGNATION OF ACCESSIBLE POLLING PLACES FOR SENIOR CITIZENS, PWDS, AND PREGNANT WOMEN. - THE COMMISSION SHALL DESIGNATE AND ESTABLISH ACCESSIBLE POLLING PLACES IN EVERY VOTING CENTER FOR THE EXCLUSIVE USE OF PWDS, SENIOR CITIZENS, AND PREGNANT WOMEN IN SUCH NUMBER AS MAY BE SUFFICIENT TO ENSURE AN EXPEDIENT, SAFE, AND COMFORTABLE VOTING PROCESS. NO PRIOR MANIFESTATION SHALL BE REQUIRED FOR THE PERSONS MENTIONED HEREIN TO AVAIL OF THE RIGHT TO VOTE IN ACCESSIBLE POLLING PLACES.”

SECTION. 7. *Provision for Transportation/Shuttie Service.* - The Commission shall provide a system of transportation/shuttle services for the senior citizens, PWDs, pregnant women, IPs, and IDPs during the period of Local Absentee Voting under this Act and during election day to ensure that these sectors have means of transportation to and from the polling places.

SECTION. 8. *Establishment of a Vulnerable Sectors Office (VSO) Under the Commission.* - The Commission is hereby authorized to establish a VSO tasked specifically to oversee and supervise the effective implementation of this Act: Provided, That its Secretariat shall come from the existing Secretariat personnel of the Commission.

SECTION. 9. *Implementing Rules and Regulations.* - Within ninety (90) days from the effectivity of this Act, the Commission shall, in consultation with other relevant government agencies, non-governmental organizations, and civil society organizations, promulgate the rules and regulations necessary to implement this Act.

SECTION. 10. *Appropriation.* - The initial amount for the implementation of this Act shall be charged against the available appropriations of the Commission. Thereafter, the amount necessary for its continuous implementation shall be included in the annual General Appropriations Act.

SECTION. 11. *Separability Clause.* - If any provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions hereof not affected thereby shall remain in full force and effect.

SECTION. 12. *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.

SECTION. 13. *Effectivity.* - This Act shall take effect immediately following the completion of its publication in the Official Gazette or in a newspaper of general circulation.

Approved,

A handwritten signature in black ink, reading "Brian Poe". The signature is fluid and cursive, with the first name "Brian" and last name "Poe" clearly distinguishable.

HON. BRIAN DANIEL POE LLAMANZARES, PhD, MNSA
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