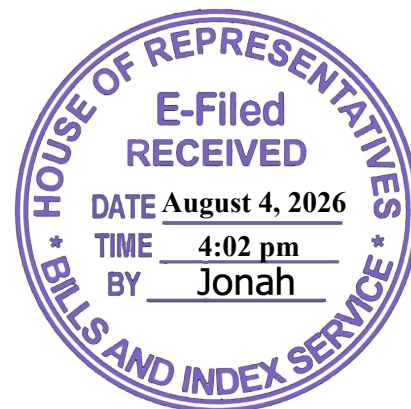


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Twentieth Congress
Second Regular Session

HOUSE BILL NO. 10583



Introduced by **Representatives FERDINAND L. HERNANDEZ, DIBU S. TUAN, CLAUDE P. BAUTISTA, MARIA CARMEN S. ZAMORA, and LEONEL “JHONG” D. CENIZA**

AN ACT
POSTPONING THE NOVEMBER 2, 2026 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, SETTING THE SAME ON THE LAST MONDAY OF MAY 2027, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The postponement and rescheduling of the Barangay and Sangguniang Kabataan Elections is not without legislative precedent. The authority to adjust an election date, however, is not absolute. Because elections involve the people’s fundamental right to choose their representatives, any postponement must satisfy the constitutional standards laid down by the Supreme Court in *Macalintal v. Commission on Elections*, G.R. Nos. 263590 and 263673.

In *Macalintal*, the SC declared Republic Act No. 11935 unconstitutional insofar as it postponed the December 2022 BSKE to October 2023. It ruled that the **postponement of elections must be supported by important, substantial, or compelling reasons and must be reasonably tailored to advance a legitimate governmental interest without unnecessarily impairing the people’s right of suffrage.**

The Court found the reasons invoked for R.A. No. 11935 insufficient. Among the justifications offered were election fatigue following the May 2022 national and local elections, the desire to allow incumbent barangay officials to continue their projects, and the intended use of the election budget for other government programs. The postponement was therefore considered arbitrary and constitutionally infirm.

The present measure is fundamentally different.

It is not based on political convenience, election fatigue, the desire to prolong incumbency, or the intention to generate government savings. Neither does it seek to realign or divert COMELEC funds to unrelated government programs. It responds instead to

extraordinary and intervening events that have materially affected the financial, logistical, physical, and operational conditions under which the November 2, 2026 BSKE must be conducted.

The country is presently confronting an international energy crisis arising from the conflict in the Middle East, which has caused significant instability in global petroleum supply. These developments were not reasonably foreseeable when the appropriations and operational assumptions for the 2026 elections were prepared.

The Philippines is particularly vulnerable to disruptions in the global oil market because it relies heavily on imported petroleum. As global supply has tightened, domestic fuel prices have become highly volatile. The resulting surge in fuel costs has significantly increased the cost of transportation, power, logistics, and other essential services and supplies, leaving no dependable cost baseline upon which election contracts and logistical preparations may be based.

The seriousness of the situation was recognized by President Ferdinand R. Marcos Jr., who declared a national energy emergency and authorized a unified package of government interventions for livelihoods, industry, food, and transportation. The declaration confirms that the crisis is not merely speculative or temporary, but a matter requiring coordinated and extraordinary governmental action. And it is ongoing with no clear end in sight.

These extraordinary consequences directly affect election administration.

The conduct of the BSKE requires the nationwide movement of ballots, election forms, equipment, communications systems, security personnel, teachers, and other members of the Electoral Boards. It also requires food, accommodation, electricity, generators, transportation, rentals, training, and emergency logistical support, particularly in geographically isolated and disadvantaged areas.

Inflation has further altered the assumptions under which the election budget was prepared. In June 2026, national headline inflation stood at 6.4 percent. Transport costs increased by 12.8 percent; housing, water, electricity, gas, and other fuels by 8.0 percent; food and non-alcoholic beverages by 5.2 percent; and restaurants and accommodation services by 7.0 percent.

These sectors correspond directly to the principal operating requirements of a nationwide election, with emphasis on the reliability, cost, and accessibility of electricity, the dependence of many of our power plants on petroleum and coal, and the recent disruptions to the Philippine grid causing outage on a national scale.

Add to that, COMELEC Chairman George Garcia was quoted publicly saying that that **the actual cost of BSKE is around Php 19 billion**, and this was before considering the effects of the ongoing energy crisis.

These difficulties are compounded by successive high magnitude earthquakes, ranging from 6.9 to 7.8, that have hit the country, resulting in damage and temporary closures while schools, roads, electricity, water, and communications systems were inspected and repaired. **Schools are indispensable to Philippine elections.** Their continuing rehabilitation creates

genuine uncertainty regarding the safety, availability, accessibility, and readiness of voting centers by November 2026.

The proposed postponement of the Barangay and Sangguniang Kabataan Elections will additionally allow the Commission on Elections and other concerned agencies to devote sufficient attention and resources to the first regular Bangsamoro Parliamentary Election on 14 September 2026.

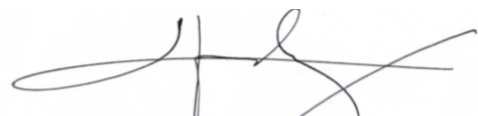
This election is both historic and complex. It marks the transition from an appointed interim government to a democratically elected Bangsamoro Parliament and represents a major milestone in the implementation of the Bangsamoro Organic Law and the continuing peace process. The newly elected Bangsamoro Government is expected to assume office on 30 October 2026. Barely a month and a half after the parliamentary election, the BSKE is scheduled on 2 November 2026, with all barangays in BARMM also participating.

The postponement will provide COMELEC, teachers, security forces, and support agencies sufficient operational flexibility to manage these major electoral exercises effectively and ensure that the historic Bangsamoro transition receives the administrative attention it deserves.

Taken together, these conditions establish the substantial and compelling governmental interest required under *Macalintal*. The proposed postponement is not intended to defeat the people's right of suffrage. It is intended to ensure that the right may be exercised meaningfully under conditions that permit COMELEC to perform its mandate of conducting elections that are free, orderly, honest, peaceful, and credible.

The postponement shall be for a definite and strictly limited period necessary to allow Congress to provide adequate appropriations and COMELEC to recalibrate its procurement, compensation, transportation, security, voting-center, and contingency arrangements. It shall not confer a new electoral mandate upon incumbent officials or reset applicable term limits. Any holdover shall exist temporarily and solely by operation of law until successors are duly elected and qualified.

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



REP. FERDINAND L. HERNANDEZ
2nd District, South Cotabato



REP. DIBU S. TUAN
3rd District, South Cotabato



REP. CLAUDE P. BAUTISTA
Lone District, Davao Occidental



REP. MARIA CARMENS S. ZAMORA
1st District, Davao de Oro



REP. LEONEL "JHONG" D. CENIZA
2nd District, Davao de Oro

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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 Constitution guarantees the people's right of suffrage and elections must be free, orderly, honest, peaceful and credible. Unfortunately, extraordinary and unforeseen circumstances have materially increased the cost and logistical requirements of conducting the November 2026 BSKE. These circumstances directly affect COMELEC's ability to administer constitutionally compliant elections. Herein postponement is limited to the minimum period necessary to protect the integrity of the electoral process and the people's right to vote.

Section 2. Section 1 of Republic Act No. 9164, as amended, is hereby further amended to read as follows:

"Section 1. *Date of Election.* - There shall be synchronized barangay and sangguniang kabataan elections, which shall be held on the last Monday of May 2027 and every three (3) years thereafter."

Section 3. Section 4 of Republic Act No. 9164, as amended, is hereby further amended to read as follows:

"Section 4. *Assumption of Office.* - The term of office of the barangay and sangguniang kabataan officials elected under this Act shall commence at noon of June 30 next following their election".

Section 4. *Hold-Over.* - Until their successors shall have been duly elected and qualified, all incumbent barangay and sangguniang kabataan officials shall remain in office, unless sooner removed or suspended for cause: *Provided,* That barangay and sangguniang kabataan officials who are ex officio members of the sangguniang bayan, sangguniang panlungsod, or sangguniang panlalawigan, as the case may be, shall continue to serve as such members in the sanggunian concerned until the next barangay and sangguniang kabataan elections unless removed in accordance with their existing rules or for cause.

Holdover is temporary, solely by operation of law, creates no new mandate, does not extend the term of office, and shall automatically cease once duly elected successors assume office.

Section 5. This Act of postponement of elections shall apply only to the November 2026 Barangay and Sangguniang Kabataan Elections and shall not be construed as establishing a precedent for future election postponements absent important, substantial, and compelling reasons.

Section 6. Nothing in this Act shall be construed as diminishing the people's right of suffrage. The postponement is adopted solely to ensure that the elections are conducted under conditions that fully protect the constitutional guarantees of free, orderly, honest, peaceful, credible, and accessible elections.

Section 7. *Appropriations.* - The amount necessary for the implementation of this Act shall be taken from the appropriations of the Commission on Elections (COMELEC) under the General Appropriations Act and/or supplementary appropriation thereafter for the applicable fiscal year.

Section 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.

Section 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.

Section 10. *Effectivity.* - This Act shall take effect immediately following the completion of its publication either in the Official gazette or in two (2) newspapers of general circulation.

Approved,