

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Twentieth Congress
Second Regular Session

HOUSE BILL NO. 10591



Introduced by Representatives JAVIER MIGUEL LOPEZ BENITEZ, MARIA RACHEL J. ARENAS, YASSER ALONTO BALINDONG, YEVGENY VINCENTE B. EMANO, ZIAUR-RAHMAN "ZIA" ALONTO ADIONG, BENJAMIN C. AGARAO JR., CAROLINE G. AGYAO, M.D., JOSE MANUEL F. ALBA, ANTONIO "TONYPET" T. ALBANO, CHEENO MIGUEL D. ALMARIO, LORETO S. AMANTE, MARIA CRISTINA C. ANGELES, JOSE "JOBOY" S. AQUINO II, REYNANTE U. ARROGANCIA, ARLYN P. AYON, BERNADETTE S. BARBERS, ALFELITO "ALFEL" M. BASCUG, ANNA YORK P. BONDOC, M.D., JOHN TRACY F. CAGAS, RUDY S. CAOAGDAN, DPA, ELMER V. CATULPOS, JUNARD "AHONG" Q. CHAN, KATRINA REIKO CHUA-TAI, DALE B. CORVERA, SERGIO C. DAGOOC, NELSON "JR" DAYANGHIRANG, WALFREDO "ARMAN" R. DIMAGUILA JR., IMELDA QUIBRANZA DIMAPORO, SITTIE AMINAH Q. DIMAPORO, JONATHAN KEITH T. FLORES, ALBERT S. GARCIA, MARIA ANGELA S. GARCIA, ED CHRISTOPHER S. GO, ROY M. GONZALES, CARMELO G. LAZATIN JR., ESMAEL G. MANGUDADATU, SITTIE SHAHARA "BAI DIMPLE" I. MASTURA, ROMEO S. MOMO SR., RAMON C. NOLASCO, HENRY "INDY" F. OAMINAL JR., ALEXANDER TY PIMENTEL, EDDIEBONG G. PLAZA, SALVADOR A. PLEYTO, EULOGIO "LEO" R. RODRIGUEZ, DIMSZAR M. SALI, MARIO "KOKOY" O. SALVADOR, STEVE CHIONGBIAN SOLON, LORDAN G. SUAN, AIMAN T. TAN, JOSEPH S. TAN, LEODY "ODIE" F. TARRIELA, JOSE "BONG" J. TEVES JR., ROBERTO "PINPIN" T. UY JR., BABY ALINE VARGAS-ALFONSO, PATRICK MICHAEL D. VARGAS, ZALDY S. VILLA, LINABELLE RUTH R. VILLARICA, MARK CHOLO I. VIOLAGO, CHRISTOPHERSON "COCO" M. YAP, AUDREY KAY T. ZUBIRI, RICHARD I. GOMEZ, DPA, ISIDRO D. LUMAYAG, ELEANDRO JESUS F. MADRONA, and EDUARDO R. RAMA, JR.

AN ACT
POSTPONING THE NOVEMBER 2, 2026 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, SETTING THE SAME ON THE LAST MONDAY OF NOVEMBER 2028, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The postponement of the Barangay and Sangguniang Kabataan Elections is not unprecedented. Legislative precedent, however, does not by itself establish constitutional validity. An election postponement restricts the people's right to select their representatives at the time fixed by law. It is therefore permissible only under the standards prescribed in *Macalintal v. Commission on Elections*.¹

In *Macalintal*, the Supreme Court declared Republic Act No. 11935 unconstitutional for postponing the December 2022 BSKE to October 2023 without constitutionally sufficient justification. The Court held that postponement is the exception. It must rest upon important, substantial, or compelling governmental reasons; be founded on genuine, objective, and reasonable criteria; preserve an effective opportunity to vote; maintain elections at regular and not unduly long intervals; and be narrowly confined to what the exigencies of the situation require.

The grounds previously advanced—election fatigue, the supposed divisiveness of successive elections, the desire to permit incumbents to complete projects, and the proposed use of election funds for other programs—did not satisfy these requirements. Such considerations were unrelated to the protection of suffrage or to the conduct of free, honest, orderly, peaceful, and safe elections.

The present measure rests on a materially different foundation.

It is not justified by political convenience, fiscal savings, election fatigue, or a desire to extend incumbency. It does not contemplate the diversion of COMELEC appropriations to unrelated expenditures. It responds to supervening conditions directly affecting whether a nationwide election may be conducted safely, uniformly, and credibly on November 2, 2026.

The Philippines is confronting an international energy emergency arising from continuing conflict and instability in the Middle East. These events have disrupted petroleum supply and produced severe volatility in global and domestic fuel prices. They could not have been incorporated fully into the appropriations, contracts, and operational assumptions under which preparations for the 2026 BSKE were undertaken.

The country's dependence on imported petroleum magnifies the effect of these disruptions. During the crisis, reported domestic prices reached as high as Php172.90 per liter for diesel, while gasoline exceeded Php100.00 per liter. Such volatility affects not only transportation but also electricity, freight, equipment deployment, rentals, food, accommodation, communications, and emergency support. It prevents the establishment of a reliable cost baseline for election procurement and nationwide logistics.

The declaration of a national energy emergency and the adoption of coordinated interventions for transportation, food, industry, and livelihoods further demonstrate that

¹ G.R. Nos. 263590 and 263673, June 27, 2023.

the difficulty is neither conjectural nor confined to ordinary market fluctuation. It is a continuing public emergency requiring exceptional governmental action.

The connection to election administration is direct. The BSKE entails the nationwide movement of ballots, election forms, equipment, security personnel, teachers, and other Electoral Board members. It requires training, communications, electricity, generators, transportation, food, accommodation, rentals, warehousing, and contingency support.

These requirements are particularly demanding in geographically isolated and disadvantaged areas, where fuel and transportation costs are already substantially higher. Inflation has likewise altered the financial assumptions underlying the election budget. In June 2026, headline inflation reportedly reached 6.4 percent. Transport 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 are not peripheral expenditures.

They correspond to the principal cost components of election administration.

COMELEC Chairman George Garcia has publicly estimated the actual cost of conducting the BSKE at approximately Php19 billion. That estimate preceded, or did not fully account for, the continuing effects of the energy emergency. Conducting the elections without an adequate and realistically calibrated appropriation may impair procurement, reduce logistical coverage, delay the deployment of election materials, and compromise the compensation and support required by Electoral Boards.

The operational difficulty is compounded by earthquake damage to schools and other public infrastructure intended for use as voting centers.

The magnitude 6.9 earthquake in Northern Cebu on September 30, 2025 damaged or destroyed thousands of classrooms. The magnitude 7.4 earthquake near Manay, Davao Oriental on October 10, 2025 affected more than one thousand schools. On June 8, 2026, a magnitude 7.8 earthquake affected General Santos City, Sarangani, Davao Occidental, South Cotabato, and surrounding areas, requiring the inspection, temporary closure, repair, or reconstruction of schools, roads, electrical facilities, water systems, and communications infrastructure.

Public schools are indispensable to Philippine elections. Where classrooms remain unsafe, inaccessible, occupied by rehabilitation work, or unavailable for public use, the corresponding voting centers cannot be presumed ready. Alternative sites must be identified, inspected, secured, equipped, and made accessible to voters, including senior citizens and persons with disabilities.

These circumstances constitute an important and compelling governmental interest within the meaning of *Macalintal*: the protection of the electorate's right to participate in elections that are free, honest, orderly, peaceful, safe, and credible. The right of suffrage

is not protected by insisting upon formal adherence to an election date when the conditions necessary for its meaningful and equal exercise have been materially impaired. As the Court recognized, **a public emergency may justify postponement, but only to the extent strictly required by the exigencies of the situation.**

The proposed postponement is reasonably related to that interest. A merely localized postponement would not adequately address nationwide fuel volatility, procurement deficiencies, Electoral Board compensation, and disruptions to the national distribution system. These are interconnected components of a single synchronized election. Uneven postponements may also produce administrative confusion, unequal treatment of voters, and fragmented electoral terms.

The postponement must nevertheless remain narrow. The intervening period is confined to what is reasonably necessary for Congress to provide adequate appropriations and for COMELEC to revise its procurement, transportation, compensation, security, voting-center, and contingency arrangements.

The electorate retains an effective opportunity to vote. The election is not cancelled, and the interval is not so remote as to defeat the constitutional requirement of regular and periodic elections. The measure identifies the precise date upon which the people will exercise their franchise, thereby avoiding the open-ended postponement condemned by the constitutional guarantee.

Neither does the bill grant incumbent officials a new term. Their electoral mandate is not renewed or enlarged. Any continuation in office arises solely from the statutory holdover principle and lasts only until their successors are elected and qualified. The Supreme Court has recognized that holdover service prevents a vacancy in public office but does not constitute a fresh electoral mandate.

Lastly, the proposed rescheduling of the Barangay and Sangguniang Kabataan Elections would give the Commission on Elections and other participating government agencies greater capacity to prepare for and administer the first regular Bangsamoro Parliamentary Election on 14 September 2026.

This electoral exercise carries exceptional historical and institutional importance. It will formally shift the Bangsamoro government from an interim, appointed structure to a parliament chosen directly by the electorate. It is therefore a critical stage in the implementation of the Bangsamoro Organic Law, the advancement of the peace process, and the consolidation of democratic governance in BARMM.

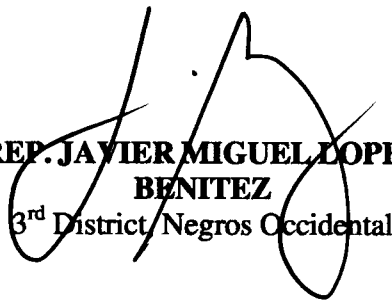
The elected Bangsamoro Government is set to assume office on 30 October 2026. The BSKE, meanwhile, is scheduled only about a month and a half after the parliamentary election, with barangays throughout BARMM also required to participate.

Conducting these major elections in such close succession will place significant demands on COMELEC personnel, teachers, security forces, local governments, and logistical support agencies. Rescheduling the BSKE would help ease this administrative burden and allow the historic Bangsamoro election to receive the focused preparation,

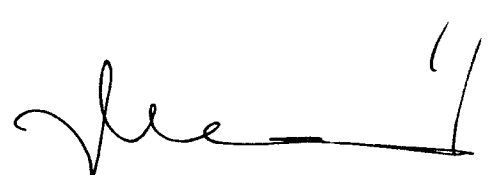
coordination, and institutional support necessary for its successful conduct.

The measure thus satisfies the controlling standards: it rests on important and compelling governmental interests; relies upon genuine, objective, and verifiable conditions; preserves an effective opportunity to vote; fixes a regular and reasonably proximate election date; adopts a postponement no broader than necessary; and does not rest upon a purpose prohibited by the Constitution or existing law.

In view of the foregoing, the immediate approval of this measure is earnestly sought.



**REP. JAVIER MIGUEL LOPEZ
BENITEZ**
3rd District, Negros Occidental



**REP. ZIAUR-RAHMAN "ZIA"
ALONTO ADIONG**
1st District, Lanao del Sur



REP. MARIA RACHEL J. ARENAS
3rd District, Pangasinan



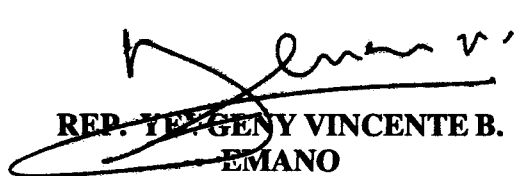
REP. BENJAMIN C. AGARAO JR.
4th District, Laguna



**REP. YASSER ALONTO
BALINDONG**
2nd District, Lanao del Sur



REP. CAROLINE G. AGYAO, M.D.
Lone District, Kalinga



**REP. YENNY VINCENTE B.
EMMANO**
2nd District, Misamis Oriental



REP. JOSE MANUEL F. ALBA
1st District, Bukidnon



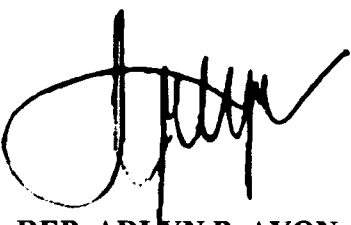
**REP. ANTONIO "TONYPET" T.
ALBANO**
1st District, Isabela



REP. REYNANTE U. ARROGANCIA
3rd District, Quezon



**REP. CHENO MIGUEL D.
ALMARIO**
2nd District, Davao Oriental



REP. ARLYN P. AYON
Party-list, SWERTE



REP. LORETO S. AMANTE
3rd District, Laguna



REP. BERNADETTE S. BARBERS
2nd District, Surigao del Norte



**REP. MARIA CRISTINA C.
ANGELES**
2nd District, Tarlac



**REP. ALFELITO "ALFEL" M.
BASCUG**
1st District, Agusan del Sur



REP. JOSE "JOBOY" S. AQUINO II
Lone District, Butuan



REP. ANNA YORK P. BONDOC, M.D.
4th District, Pampanga



REP. JOHN TRACY F. CAGAS
Lone District, Davao del Sur



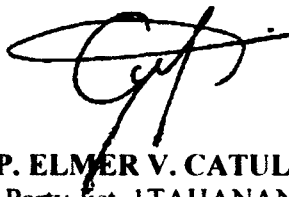
REP. KATRINA REIKO CHUA-TAI
1st District, Zamboanga City



REP. RUDY S. CAOAGDAN, DPA
2nd District, Cotabato



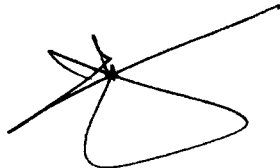
REP. DALE B. CORVERA
Lone District, Agusan del Norte



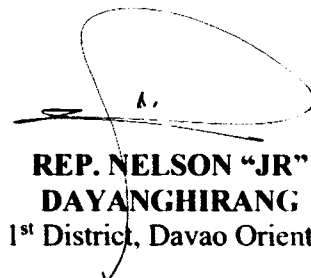
REP. ELMER V. CATULPOS
Party-list, ITAHANAN



REP. SERGIO C. DAGOOC
Party-list, APEC



REP. JUNARD "AHONG" Q. CHAN
Lone District, Lapu-Lapu City



REP. NELSON "JR" DAYANGHIRANG
1st District, Davao Oriental



REP. WALFREDO "ARMAN" R. DIMAGUILA JR.
Lone District, Biñan City



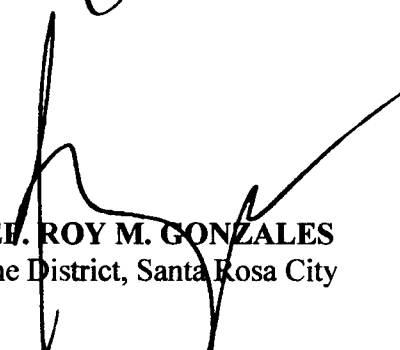
REP. IMELDA QUIBRANZA
DIMAPORO
1st District, Lanao del Norte



REP. ED CHRISTOPHER S. GO
2nd District, Isabela



REP. SITTIE AMINAH Q.
DIMAPORO
2nd District, Lanao del Norte



REP. ROY M. GONZALES
Lone District, Santa Rosa City



REP. JONATHAN KEITH T. FLORES
2nd District, Bukidnon



REP. CARMELO G. LAZATIN JR.
1st District, Pampanga



REP. ALBERT S. GARCIA
2nd District, Bataan



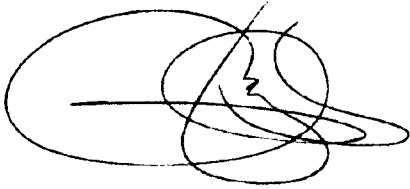
REP. ESMAEL G. MANGUDADATU
Lone District, Maguindanao del Sur



REP. MARIA ANGELA S. GARCIA
3rd District, Bataan



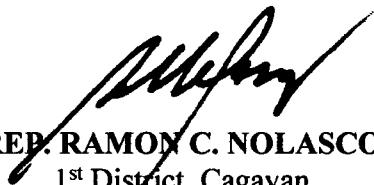
**REP. SITTIE SHAHARA "BAI
DIMPLE" I. MASTURA**
Lone District, Maguindanao del Norte



REP. ROMEO S. MOMO SR.
1st District, Surigao del Sur



REP. SALVADOR A. PLEYTO
6th District, Bulacan



REP. RAMON C. NOLASCO
1st District, Cagayan



**REP. EULOGIO "LEO" R.
RODRIGUEZ**
Lone District, Catanduanes



**REP. HENRY "INDY" F. OAMINAL
JR.**
Party-list, ASENSO PINOY



REP. DIMSZAR M. SALI
Lone District, Tawi-Tawi



REP. ALEXANDER TY PIMENTEL
2nd District, Surigao del Sur



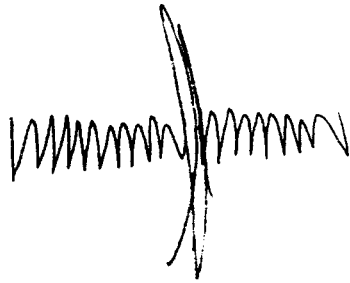
**REP. MARIO "KOKOY" O.
SALVADOR**
2nd District, Nueva Ecija



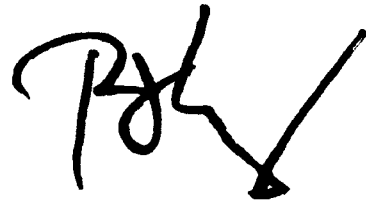
REP. EDDIEBONG G. PLAZA
2nd District, Agusan del Sur



REP. STEVE CHIONGBIAN SOLON
Lone District, Sarangani



REP. LORDAN G. SUAN
1st District, Cagayan de Oro City

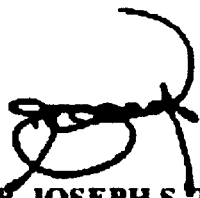


REP. ROBERTO "PINPIN" T. UY JR.
1st District, Zamboanga del Norte



REP. ARMAN T. TAN
Party-list, KUSUG TAUSUG

**REP. BABY ALINE VARGAS-
ALFONSO**
2nd District, Cagayan



REP. JOSEPH S. TAN
4th District, Isabela



**REP. PATRICK MICHAEL D.
VARGAS**
5th District, Quezon City



REP. LEODY "ODIE" F. TARRIELA
Lone District, Occidental Mindoro



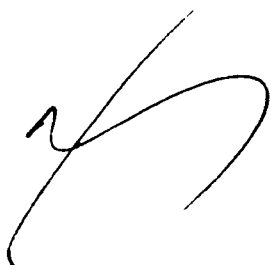
REP. ZALDY S. VILLA
Lone District, Siquijor



REP. JOSE "BONG" J. TEVES JR.
Party-list, TGP



**REP. LINABELLE RUTH R.
VILLARICA**
4th District, Bulacan



REP. MARK CHOLO I. VIOLAGO
3rd District, Bulacan



REP. ELEANDRO JESUS F. MADRONA
Lone District, Romblon



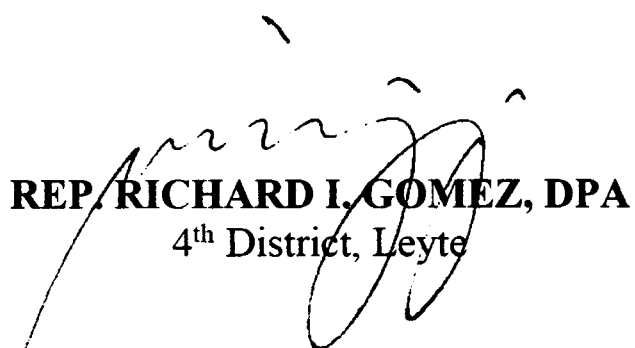
REP. CHRISTOPHERSON "COCO" M. YAP
2nd District, Southern Leyte



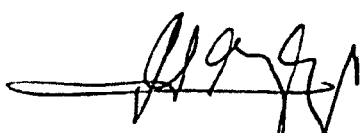
REP. EDUARDO R. RAMA, JR.
2nd District, Cebu City



REP. AUDREY KAY T. ZUBIRI
3rd District, Bukidnon



REP. RICHARD I. GOMEZ, DPA
4th District, Leyte



REP. ISIDRO D. LUMAYAG
1st District, South Cotabato

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Twentieth Congress
Second Regular Session

HOUSE BILL NO. 10591

Introduced by Representatives JAVIER MIGUEL LOPEZ BENITEZ, MARIA RACHEL J. ARENAS, YASSER ALONTO BALINDONG, YEVGENY VINCENTE B. EMANO, ZIAUR-RAHMAN "ZIA" ALONTO ADIONG, BENJAMIN C. AGARAO JR., CAROLINE G. AGYAO, M.D., JOSE MANUEL F. ALBA, ANTONIO "TONYPET" T. ALBANO, CHEENO MIGUEL D. ALMARIO, LORETO S. AMANTE, MARIA CRISTINA C. ANGELES, JOSE "JOBOY" S. AQUINO II, REYNANTE U. ARROGANCIA, ARLYN P. AYON, BERNADETTE S. BARBERS, ALFELITO "ALFEL" M. BASCUG, ANNA YORK P. BONDOC, M.D., JOHN TRACY F. CAGAS, RUDY S. CAOAGDAN, DPA, ELMER V. CATULPOS, JUNARD "AHONG" Q. CHAN, KATRINA REIKO CHUA-TAI, DALE B. CORVERA, SERGIO C. DAGOOC, NELSON "JR" DAYANGHIRANG, WALFREDO "ARMAN" R. DIMAGUILA JR., IMELDA QUIBRANZA DIMAPORO, SITTIE AMINAH Q. DIMAPORO, JONATHAN KEITH T. FLORES, ALBERT S. GARCIA, MARIA ANGELA S. GARCIA, ED CHRISTOPHER S. GO, ROY M. GONZALES, CARMELO G. LAZATIN JR., ESMAEL G. MANGUDADATU, SITTIE SHAHARA "BAI DIMPLE" I. MASTURA, ROMEO S. MOMO SR., RAMON C. NOLASCO, HENRY "INDY" F. OAMINAL JR., ALEXANDER TY PIMENTEL, EDDIEBONG G. PLAZA, SALVADOR A. PLEYTO, EULOGIO "LEO" R. RODRIGUEZ, DIMSZAR M. SALI, MARIO "KOKOY" O. SALVADOR, STEVE CHIONGBIAN SOLON, LORDAN G. SUAN, AIMAN T. TAN, JOSEPH S. TAN, LEODY "ODIE" F. TARRIELA, JOSE "BONG" J. TEVES JR., ROBERTO "PINPIN" T. UY JR., BABY ALINE VARGAS-ALFONSO, PATRICK MICHAEL D. VARGAS, ZALDY S. VILLA, LINABELLE RUTH R. VILLARICA, MARK CHOLO I. VIOLAGO, CHRISTOPHERSON "COCO" M. YAP, AUDREY KAY T. ZUBIRI, RICHARD I. GOMEZ, DPA, ISIDRO D. LUMAYAG, ELEANDRO JESUS F. MADRONA, and EDUARDO R. RAMA, JR.

AN ACT
POSTPONING THE NOVEMBER 2, 2026 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, SETTING THE SAME ON THE LAST MONDAY OF NOVEMBER 2028, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

Section 1. Declaration of Policy. It is the policy of the State to safeguard the people's constitutional right of suffrage and to ensure that elections are conducted in a free, orderly, honest, peaceful, and credible manner. Extraordinary and unforeseen developments have substantially altered the financial, logistical, and operational requirements of conducting the November 2026 Barangay and Sangguniang Kabataan Elections, thereby affecting the capacity of the Commission on Elections to discharge its constitutional mandate. Accordingly, any postponement shall be confined to the shortest period reasonably necessary to preserve the integrity of the electoral process and secure the effective exercise of 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 November 2028 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 December 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,