



Republic of the Philippines
House of Representatives

20th CONGRESS
Second Regular Session

HOUSE BILL NO. 11059

Introduced by Hon. Charisse Anne C. Hernandez

EXPLANATORY NOTE

The Sangguniang Kabataan (SK) is an important institution for ensuring the participation of the youth in local governance. Through the SK, young Filipinos are given the opportunity to represent their fellow youth and participate in the formulation and implementation of programs and policies in their communities.

However, vacancies in the Sangguniang Kabataan continue to occur for various reasons. These include positions that remain unfilled after elections, as well as vacancies arising from resignation, death, removal from office, permanent incapacity, failure to qualify, and other circumstances recognized by law. Under Republic Act No. 10742, as amended by Republic Act No. 11768, vacancies in the SK membership are generally filled through a special Katipunan ng Kabataan assembly and election.

The number of unfilled positions after the 2023 Barangay and Sangguniang Kabataan Elections demonstrates that the issue is not merely theoretical. Following the 2023 elections, 692 SK positions nationwide remained vacant because there were no candidates for those positions—139 SK Chairperson positions and 553 SK Member positions. The Commission on Elections subsequently had to provide rules for the conduct of special elections to address these vacancies.

More importantly, vacancies do not occur only immediately after an election. During the term of office, an SK position may become vacant because of resignation, death, permanent incapacity, removal from office, failure to qualify, or other circumstances. These vacancies can leave an SK with fewer members than required and may affect its ability to meet quorum, deliberate on matters, and effectively implement programs for the youth.

The existing requirement of a special election or special Katipunan ng Kabataan assembly may also result in delays in filling a vacant position. Conducting a separate electoral process for a single vacant seat requires coordination, administrative preparation, and resources, while the vacant position may remain unfilled during the process.

This measure therefore proposes a simpler and more efficient mechanism for filling permanent vacancies in the membership of the Sangguniang Kabataan.

Instead of conducting a special election for every vacancy, the remaining members of the Sangguniang Kabataan shall recommend a qualified member of the Katipunan ng Kabataan to fill the vacant position. The recommendation shall be submitted through a duly approved SK Resolution to the concerned City or Municipal Mayor, who shall make the appointment.

This proposed mechanism is similar to the general approach under the Local Government Code in filling permanent vacancies in local sanggunian, while still preserving the participation of the youth sector in identifying the person who will represent them.

The proposed appointment shall be limited to the unexpired portion of the term, and the appointee must possess all the qualifications and none of the disqualifications prescribed by law. The measure also provides a definite period for the SK to submit its recommendation to ensure that vacancies will not remain unfilled for an extended period.

The objective of this measure is simple: to ensure that every Sangguniang Kabataan remains complete, functional, and capable of serving the youth of the barangay.

By replacing the requirement of a special election with a timely appointment upon the recommendation of the SK Council and approval of the concerned Mayor, this measure will reduce administrative delays, avoid unnecessary electoral expenses, and ensure continuity in youth representation and governance.

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


CHARISSE ANNE C. HERNANDEZ
Representative
Lone District, Calamba City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
Second Regular Session

House Bill No. **11059**

Introduced by Honorable Charisse Anne C. Hernandez

AN ACT
AMENDING REPUBLIC ACT NO. 10742, OTHERWISE KNOWN AS THE
“SANGGUNANG KABATAAN REFORM ACT OF 2015,” AS AMENDED BY REPUBLIC
ACT NO. 11768, PROVIDING FOR THE APPOINTMENT OF SANGGUNANG
KABATAAN MEMBERS TO FILL PERMANENT VACANCIES, AND FOR OTHER
PURPOSES

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

SECTION 1. Section 19 of Republic Act No. 10742, otherwise known as the “**Sangguniang Kabataan Reform Act of 2015**,” as amended by Republic Act No. 11768, is hereby further amended by deleting the second paragraph thereof and replacing the same with the following:

“SEC. 19. Sangguniang Kabataan Succession and Filling Up of Vacancies. — In case a Sangguniang Kabataan Chairperson refuses to assume office, fails to qualify, voluntarily resigns, dies, is permanently incapacitated, is removed from office, or otherwise permanently vacates the office, the Sangguniang Kabataan member who obtained the highest number of votes in the election immediately preceding shall assume the office of the Chairperson for the unexpired portion of the term. In case said member refuses to assume the position or fails to qualify, the Sangguniang Kabataan member obtaining the next highest number of votes shall assume the position of the Chairperson for the unexpired portion of the term.

In case of a permanent vacancy in the membership of the Sangguniang Kabataan, ~~the vacancy shall be filled through a special election conducted by the Commission on Elections in accordance with existing election laws, rules and regulations~~ the vacancy shall be filled by appointment in accordance with the following procedure:

(a) The remaining members of the Sangguniang Kabataan shall, within fifteen (15) days from the occurrence of the permanent vacancy, convene and, by a majority vote of all incumbent members, recommend a qualified nominee to fill the vacant position;

(b) The recommendation of the Sangguniang Kabataan shall be embodied in a duly approved Sangguniang Kabataan Resolution and transmitted to the Mayor of the concerned city or municipality;

(c) Upon receipt of the Sangguniang Kabataan Resolution, the Mayor shall appoint the qualified nominee to fill the vacant position for the unexpired portion of the term;

(d) The nominee shall possess all the qualifications and none of the disqualifications prescribed under this Act and shall be a member of the Katipunan ng Kabataan of the barangay concerned;

(e) In the event that the Sangguniang Kabataan fails to submit a recommendation within the period prescribed in paragraph (a), the Mayor shall require the Sangguniang Kabataan to submit its recommendation within five (5) days from receipt of such notice. If the Sangguniang Kabataan still fails to submit a recommendation within the prescribed period, the Mayor may appoint any qualified member of the Katipunan ng Kabataan residing in the barangay to fill the vacancy;

(f) The person appointed under this Section shall serve only for the unexpired portion of the term of the vacant position; and

(g) The Commission on Elections shall no longer conduct a special election for the purpose of filling a permanent vacancy in the membership of the Sangguniang Kabataan.”

In case of a temporary vacancy in the office of the Sangguniang Kabataan Chairperson, the succession provided under this Section shall apply in accordance with existing law.”

SEC. 2. Repealing Clause. All laws, decrees, executive orders, rules and regulations, and other issuances, or parts thereof, inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC 3. Separability Clause. - If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected thereby shall remain in full force and effect.

SEC. 4. Repealing Clause. - All laws, decrees, executive orders, rules and regulations, and other issuances inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 5. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,