

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

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. **1571**



Introduced by **Representative RANEO E. ABU**

EXPLANATORY NOTE

This bill seeks to move the Barangay and Sangguniang Kabataan elections from second Monday of May 2020 to second Monday of October 2022, amending for this purpose Republic Act No. 10952.


Powers and functions of Barangay officials are significant to the development of the nation. Government programs are effectively implemented by them. Under Section 384 of Republic Act No. 7160, the Local Government Code of 1991, barangay, as the basic political unit, serves as the primary planning and implementing unit of the government policies, plans, programs, projects, and activities in the community, and as a forum wherein the collective views of the people may be expressed, crystalized and considered, and where disputes may be amicably settled.

The terms of office of barangay and SK officials have varied over the years. The Local Government Code initially set their terms to three (3) years, then this was changed to five (5) years then back to three (3) years again.

With the passage of Republic Act No. 10952, the candidates who won in the May 14, 2018 Barangay and Sangguniang Kabataan (SK) elections would be serving for only two (2) years, instead of the three (3) years mandated by law. The two (2) years term of Barangay officials and SK officials are too short to fully implement the programs and developments that they planned for their respective barangays and constituencies. They should be given ample time to deliver the services to the people.

Further, postponing the barangay elections in May 2020 to October 2022 will definitely allow the incumbent barangay officials to continue implementing the various policies and programs of the Duterte administration. Furthermore, this will save the government elections related expenses for year 2020 and the budget that will be saved can now be utilized to fund the priority programs and projects by the National Government.

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



RANEO E. ABU
Representative
2nd District, Batangas

**AN ACT POSTPONING THE MAY 2020 BARANGAY AND SANGGUNIAN
KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO.
9164, AS AMENDED BY REPUBLIC ACT NO. 9340, REPUBLIC ACT NO. 10656,
PRESCRIBING ADDITIONAL RULES GOVERNING THE CONDUCT OF BARANGAY
AND SANGGUNIAN KABATAAN ELECTIONS AND FOR OTHER PURPOSES**

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

SECTION 1. Section 1 of Republic Act No. 9164, as amended by Republic Act no. 9340, and republic Act No. 10632, and Republic Act No. 10923, 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 July 15, 2002. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on the last Monday of October 2007 and every three (3) years thereafter: *Provided*, That the barangay and sangguniang kabataan elections on October 23, 2017 shall be postponed to the second Monday of may 2018. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on the second Monday of October 2022 and every three (3) years thereafter."

SECTION 2. Section 4 of Republic Act No. 9164, as amended by Republic Act no. 9340, republic Act No. 10632, and Republic Act No. 10923, 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: *Provided, however*, That the term of office of the barangay and sangguniang kabataan officials elected in the October 2022 elections and subsequently thereafter, shall commence at noon of December 1 next following their election."

SECTION 3. *Hold Over.*- Until their successors shall have been duly elected and qualified, all incumbent barangay officials shall remain in office, unless sooner removed or suspended for cause: *Provided*, That barangay 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 election. The Liga ng mga Barangay at the municipal city, and provincial levels shall, not later than July 31, 2018, conduct elections for *ex officio* positions in the sanggunians under the supervision of the Department of the Interior and Local Government.

SECTION 4. *Ban of Government Projects.*- The construction or maintenance of barangay-funded roads and bridges shall be prohibited for a period of ten (10) days immediately preceding the date of election, the provisions of Section 261, paragraphs (v) and (w), of the Omnibus Election Code to the contrary notwithstanding.

SECTION 5. *Prohibition on Appointments of Government Officials and Employees.* - The appointment or hiring of new employees, creation of new position, promotion, or giving of salary increases, remuneration or privileges in the barangay shall be prohibited for a period of ten (10) days immediately preceding the election, the provisions of Section 261, paragraph (g), of the Omnibus Election Code to the contrary notwithstanding.

SECTION 6. *Use of Appropriations.* — The amount of Six billion ninety million three hundred twenty-four thousand three hundred twenty-five pesos and sixteen centavos (P6,090,324,325.16) shall be considered as continuing appropriations and shall be used exclusively for the conduct of the barangay and sangguniang kabataan registration and elections in October 2022.

SECTION 7. *Use of Sangguniang Kabataan Fund.* - *Until* the new sangguniang kabataan officials shall have been duly elected and qualified, the sangguniang barangay shall not use the sangguniang kabataan fund except for youth development and empowerment programs as provided in Republic Act No. 10742, otherwise known as the "Sangguniang-Kabataan Reform Act of 2015".

SECTION 8. *Implementing Rules and Regulations.* — The Commission or. Elections shall, within fifteen (15) days after the effectivity of this Act, promulgate such rules and regulations necessary to implement this Act:

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. *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 11. *Effectivity.* This Act shall take effect immediately following the completion of its publication either in the *Official Gazette*, or in two (2) newspaper of general circulation in the Philippines.