

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 578

Introduced by CIBAC Party-List Representatives
Eduardo 'Bro. Eddie' C. Villanueva and Domingo C. Rivera

**AN ACT STRENGTHENING THE PROCEDURE FOR REGISTRATION
OF VOTERS DURING BARANGAY ELECTIONS, AMENDING FOR
THE PURPOSE REPUBLIC ACT NO. 8189, ALSO KNOWN AS THE
"VOTER'S REGISTRATION ACT OF 1996"**

EXPLANATORY NOTE

Article V, Section 1 of the 1987 Constitution provides that "suffrage may be exercised by all citizens of the Philippines not otherwise disqualified by law, who are at least eighteen years of age, and who shall have resided in the Philippines for at least one year and in the place wherein they propose to vote for at least six months immediately preceding the election."

Originally lifted from the 1973 Constitution, the current provision was intended to observe the residency requirements of one (1) year in the Philippines and six (6) months in the place where the voter is set to vote. This presupposes that the voter is a resident of the same barangay during a national and barangay election.

Nevertheless, due to the difference in dates the barangay and regular elections are held, voters still find a way to circumvent this provision by transferring from one barangay to another in the gap between the two elections. This also provides an opening to opportunistic candidates to influence their supporters and/or potential voters to change their registration of residence months before the election to add to their number of votes.

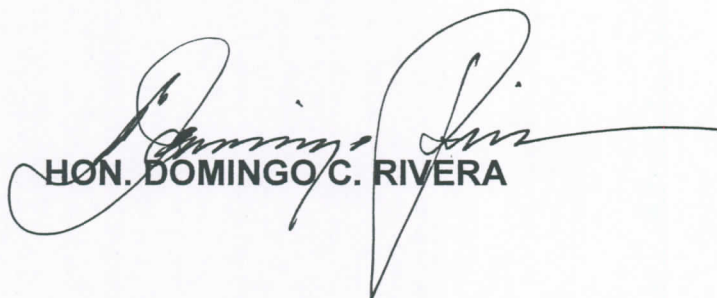
In effect, this practice endangers the legitimacy of the electoral process and renders it questionable, particularly so because no current law sanctions the same for both the candidates and the voters.

Therefore, it is necessary to strengthen our current election laws to ensure that voters strictly comply with the requirement that they have resided in the place wherein they propose to vote for at least six (6) months immediately preceding the election pursuant to Article V, Section 1 of the 1987 Constitution. Non-compliance with this rule should be sanctioned appropriately. To this effect, several provisions of the Voter's Registration Act or Republic Act No. 8189 must be amended to make a true and effective barangay anti-hakot bill.

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



HON. EDUARDO "BRO. EDDIE" C. VILLANUEVA



HON. DOMINGO C. RIVERA

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AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8189,
OTHERWISE KNOWN AS THE "VOTER'S REGISTRATION ACT OF
1996" AND FOR OTHER PURPOSES**

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

1 **SECTION 1.** Section 9 of R.A. 8189 or the Voter's Registration Act, is hereby amended
2 to read as follows:
3

4 Section 9. *Who may Register.* All citizens of the Philippines not otherwise
5 disqualified by law who are at least eighteen (18) years of age, and who shall
6 have resided in the Philippines for at least one (1) year, and in the [place]
7 BARANGAY, CITY OR MUNICIPALITY, DISTRICT OR PROVINCE, wherein
8 they propose to vote, for at least six (6) months immediately preceding the
9 election, may register as a voter.

10
11 Any person who temporarily resides in another BARANGAY, city[,] OR
12 municipality, **DISTRICT, PROVINCE** or **IN ANOTHER** country solely by reason
13 of his/her occupation, profession, employment in private or public service,
14 educational activities, work in the military or naval reservations within the
15 Philippines, service in the Armed Forces of the Philippines, the National Police
16 Forces, or confinement or detention in government institutions in accordance
17 with law, shall not be deemed to have lost his/her original residence.

1 Any person, who, on the day of registration may not have reached the required
2 age or period of residence but, who, on the day of the election shall possess
3 such qualifications, may register as a voter.
4

5 **SECTION 2.** Section 12 of the same Act is hereby amended to read as follows:
6

7 Section 12. *Change of Residence to Another City, [OR] Municipality OR*
8 *BARANGAY.* Any registered voter who has transferred residence to another
9 city [or], municipality OR BARANGAY may apply with the election officer of
10 his/her new residence for the transfer of his/her registration records.
11

12 NO TRANSFER OF A VOTER'S REGISTRATION TO ANOTHER CITY,
13 MUNICIPALITY OR BARANGAY SHALL BE ALLOWED DURING THE
14 PERIOD STARTING ONE HUNDRED TWENTY (120) DAYS BEFORE A
15 BARANGAY OR REGULAR ELECTION AND NINETY (90) DAYS BEFORE A
16 SPECIAL ELECTION.
17

18 The application for transfer of registration shall be subject to the requirements
19 of notice and hearing and the approval of the Election Registration Board, in
20 accordance with this Act. Upon approval of the application for transfer, and after
21 notice of such approval to the election officer of the former residence of the
22 voter, said election officer shall transmit by registered mail the voter's
23 registration record to the election officer of the voter's new residence.
24

25 **SECTION 3.** Section 13 of the same Act is hereby amended to read as follows:
26

27 Section 13. *Change of Address in the Same City or Municipality.* Any voter who
28 has changed his/her address in the same city or municipality WHICH SHALL
29 NOT FALL UNDER A CHANGE IN BARANGAY AS PROVIDED UNDER
30 SECTION 12 OF THIS ACT, shall immediately notify the Election Officer in
31 writing. If the change of address involves a change in precinct, the Board shall
32 transfer [his] THE registration record to the [precinct] book of voters of [his] THE
33 new precinct and notify the voter of [his] THE new precinct. All changes of
34 address shall be reported to the office of the provincial election supervisor and
35 the Commission in Manila.
36

37 **SECTION 4.** Section 24 of the same Act is hereby amended to read as follows:
38

39 Section 24. *National Central File.* There shall be a national central file under the
40 custody of the Commission in Manila consisting of the third copies of all
41 approved voter registration records in each city or municipality. It shall be
42 compiled by precinct in each city[/] **OR** municipality and arranged alphabetically
43 by surname so as to make the file a replica of the books of voters in the
44 possession of the Election Officer. Thereafter, a national list shall be prepared
45 following the alphabetical arrangements of surnames of voters.
46

47 There shall be a national file consisting of the computerized voters' list (CVL),
48 both in print and in [diskette] **SOFT COPY**, submitted by the Election Officers
49 in each city and municipality concerned, under the custody of the Commission
50 in Manila.

1 The computerized voters' list shall make use of a single and uniform computer
2 program that will have a detailed storing capability to list voters alphabetically
3 by the precincts where they vote, by the barangays, municipalities, cities or
4 provinces where they reside [and] by their voter's identification number (VIN),
5 AND BY THE DATE OF THE ELECTION WHEN THEY LAST VOTED.
6

7 THE COMMISSION IN MANILA SHALL ENSURE THAT THE
8 COMPUTERIZED VOTERS' LIST IS UPDATED WITHIN THREE (3) MONTHS
9 FROM THE DATE OF THE REGULAR ELECTION AND SHALL CONTAIN
10 THE NAMES OF THE VOTERS WHO ACTUALLY VOTED DURING THE
11 PREVIOUSLY HELD ELECTION.
12

13 THE LIST SHALL BE ACCESSIBLE TO ALL ELECTION OFFICERS WHO
14 ARE RESPONSIBLE FOR THE REGISTRATION OF VOTERS.
15

16 **SECTION 5.** Section 45 of the same Act is hereby amended to read as follows:
17

18 Section 45. *Election Offenses.* The following shall be considered election
19 offenses under this Act:
20

- 21 a) to deliver, hand over, entrust or give, directly or indirectly, his voter's
22 identification card to another in consideration of money or other benefit
23 of promise; or take or accept such voter's identification card, directly or
24 indirectly, by giving or causing the giving of money or other benefit or
25 making or causing the making of a promise therefore;
26
- 27 b) to fail, without cause, to post or give any of the notices or to make any of
28 the reports re-acquired under this Act;
29
- 30 c) to issue or cause the issuance of a voter's identification number or to
31 cancel or cause the cancellation thereof in violation of the provisions of
32 this Act; or to refuse the issuance of registered voters their voter's
33 identification card;
34
- 35 d) to accept an appointment, to assume office and to actually serve as a
36 member of the Election Registration Board although ineligible thereto, to
37 appoint such ineligible person knowing him to be ineligible;
38
- 39 e) to interfere with, impede, abscond for purpose of gain or to prevent the
40 installation or use of computers and devices and the processing,
41 storage, generation, and transmission of registration data or information;
42
- 43 f) to gain, cause access to use, alter, destroy, or disclose any computer
44 data, program, system software, network, or any computer-related
45 devices, facilities, hardware or equipment, whether classified or
46 declassified;
47
- 48 g) failure to provide certified voters and deactivated voters list to candidates
49 and heads of representatives of political parties upon written request as
50 provided in Section 30 hereof;

- 1 h) failure to include the approved application form for registration of a
2 qualified voter in the book of voters of a particular precinct or the
3 omission of the name of a duly registered voter in the certified list of
4 voters of the precinct where he is duly, registered resulting in his failure
5 to cast his vote during an election, plebiscite, referendum, initiative
6 and/or recall. The presence of the form or name in the book of voters or
7 certified list of voters in precincts other than where he is duly registered
8 shall not be an excuse hereof;
9
10 i) the posting of a list of voters outside or at the door of a precinct on the
11 day of an election, plebiscite, referendum, initiative and/or recall, and
12 which list is different in contents from the certified list of voters being
13 used by the Board of Election Inspectors; [and]
14
15 j) THE TRANSFER OF A VOTER'S REGISTRATION OF RESIDENCE
16 CONTRARY TO THE PROVISIONS OF SECTION 12 OF THIS ACT;
17 AND
18
19 k) Violation of [the provisions] ANY OTHER PROVISION of this Act.
20

21 **SECTION 6. Separability Clause.** – If any provision of this Act is declared invalid, the
22 other provisions not affected thereby shall remain valid.
23

24 **SECTION 7. Repealing Clause.** – All laws, proclamations, executive orders, rules and
25 regulations or parts thereof inconsistent with this Act are hereby repealed, modified or
26 amended accordingly: *Provided*, That no person shall be deemed to be vested with
27 any property or other right by virtue of the enactment or operation of this Act.
28

29 **SECTION 8. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its
30 complete publication in the *Official Gazette* or in at least two (2) national newspapers
31 of general circulation whichever comes earlier.
32
33

34 Approved,