

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2386



Introduced by Honorable Florida P. Robes

EXPLANATORY NOTE

This measure seeks to postpone the scheduled May 2020 synchronized Barangay and Sangguniang Kabataang Elections and aims to conduct the same simultaneously with the May 2022 Presidential Election.

In line with the power of the Congress to pass laws within its power for the best interest of its people, the Barangay and Sangguniang Kabataang Elections have in fact been postponed and/or transferred to different schedule with the end in view of giving the different agencies of the government to better prepare for the same specially on the financial aspect and in order to have a peaceful, organized, and orderly election.

The last Barangay and Sangguniang Kabataan elections was held last 14 May 2018 and the next one will be conducted on the second Monday of May 2020 or one (1) year before the next Presidential Elections. With only one (1) year that separates the same, the different government agencies, that is, COMELEC, its officials and employees, our hard working teachers, the different civic and religious organizations, are again will be subjected to the election process.

Thus, for practical considerations and in order for the different government agencies to have ample time to prepare with the end result of achieving a peaceful, orderly and organized overall elections, that is, Barangay, Sangguniang Kabataan, and the Presidential Elections, this bill is most respectfully being submitted for the consideration of the Eighteenth Congress

Considering the aforementioned, the passage of this bill is earnestly sought.


FLORIDA P. ROBES

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AN ACT
POSTPONING THE MAY 2020 BARANGAY AND SAGGUNIAN
KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE
REPUBLIC ACT NO. 9164, AS AMENDED BY REPUBLIC ACT
NO. 9340, REPUBLIC ACT NO. 10632, REPUBLIC ACT 10656,
REPUBLIC ACT 10923, AND REPUBLIC ACT 10952, AND FOR
OTHER PURPOSES

Be it enacted by the Senate and House of Representative of the Philippines in Congress Assembled:

SECTION 1. Section 1 of Republic Act. No. 9164, as amended by Republic Act No. 9340, Republic Act No. 10632, Republic Act. No. 10656, Republic Act. No. 10923, and Republic Act No. 10952 is hereby further amended 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 sangguniang kabataan elections shall be held on the last Monday of October 23, 2017 shall be postponed to the second Monday of May 2018. Provided, that the Barangay and Sangguniang Kabataan Elections on the second Monday of 2020 shall be postponed and shall instead be held on 09 May 2022 together with the Presidential Elections. Subsequent synchronized barangay and sangguniang kabataan elections shall be held in the second Monday of May 2025 and every three (3) years thereafter."

SEC. 2. Section 4 of Republic Act. No. 9164, as amended by Republic Act No. 9340. Republic act No. 10632. and Republic Act. No. 10923, and Republic Act No. 10952 hereby further amended to read as follows:

"SEC. 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 May 2022 elections and subsequently thereafter, shall commence at noon of June 30 next following election."

SEC. 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 member 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 position in the sangguniang under the supervision of the Department of the Interior and Local Government.

SEC. 4. *Ban of Government Projects.* - The construction of 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.

SEC. 5. *Prohibition on the Appointments of Government Officials and Employees.* - the appointment or hiring of new employees, creation of new position, 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.

SEC. 6. *Use of Appropriations.* - The amount of Six billion ninety million 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 restration and elections in May 2018.

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

SEC. 8. *Implementing Rules and Regulations.* - The Commission on Elections shall, within fifteen (15) days after the effectivity of this Act. Prom,ulgate such rules and regulations necessary to implement this act.

SEC. 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 provisions of this Act. Are hereby repealed, amended or modified accordingly.

SEC 10. *Separability Clause.* – if any portion or provisions of this Act is declared unconstitutional. The remainder of this act or any provisions not affected thereby shall remain in force and effect.

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

Approved,