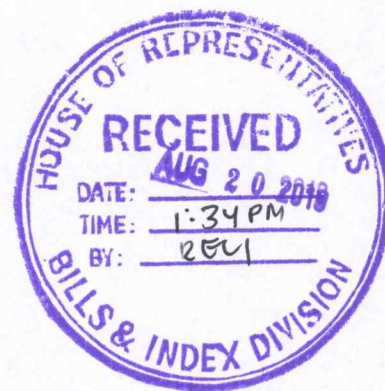


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4042



Introduced by Representative Ferdinand L. Hernandez

**AN ACT POSTPONING THE MAY 2020 BARANGAY AND SANGGUNIANG
KABATAAN ELECTIONS TO MAY 2022, AMENDING FOR THIS PURPOSE
REPUBLIC ACT NO. 9164, AS AMENDED BY REPUBLIC ACT NO. 10952, REPUBLIC
ACT NO. 10632, REPUBLIC ACT NO. 10656, AND REPUBLIC ACT NO. 10923, AND
REPUBLIC ACT NO. 10952, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Sec. 2(a) of Republic Act No. 7160, also known as the Local Government Code of 1991, states that “it is hereby declared the policy of the State that the territorial and political subdivisions of the State shall enjoy genuine and meaningful local autonomy to enable them to attain their fullest development as self-reliant communities and make them more effective partners in the attainment of national goals.” It is thus imperative upon Congress to empower local governments, in order to enable them to become more self-reliant and effective partners of the national government.

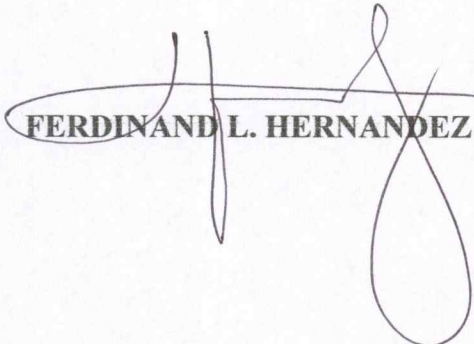
R. A. No. 10952, which postponed the previous Barangay and Sangguniang Kabataan (SK) elections to May 2018, also set the next Barangay and SK elections for May 2020, with successive elections happening every three (3) years henceforth. Thus, the incumbent Barangay and SK officials only have a term of two (2) years, the shortest term ever set by Congress under the 1987 Constitution.

2 years is too short of a time for Barangay and SK officials to fully realize their projects, and their visions for their constituents. It is an unfair burden for them to carry the time pressure given by the law on the schedule of the succeeding Barangay and SK elections. It has also been argued that the 2-year term violates the equal protection clause of the Constitution, in that R. A. No. 10952 arbitrarily gives the current set of officials only 2 years, while giving all succeeding terms 3 years.¹ These reasons taken into consideration, there is a need to restore a sense of regularity to local governments by extending the term of incumbent Barangay and SK officials, and postponing the next elections for these positions.

¹ <https://www.rappler.com/nation/202606-winning-2018-barangay-sk-candidates-two-year-terms>

This bill seeks to correct the disparity and arbitrariness of the 2-year period in R. A. No. 10952, by postponing the next Barangay and SK elections to May 2022, with the succeeding elections happening every three years from such time. This will give incumbent officials more time to fulfill their mandate and vision, and ensure regularity of local government functions and operations.

Considering the rationale stated above, the approval of this Bill is earnestly sought.



FERDINAND L. HERNANDEZ

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REPUBLIC ACT NO. 10952, AND FOR OTHER PURPOSES**

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

SECTION 1. Section 1 of Republic Act No. 10952 is hereby further amended to read as follows:

“Sec. 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 May [2020] **2022** and every three (3) years thereafter.”

SECTION 2. Hold Over – Until the successors shall have been duly elected and qualified, all incumbent barangay officials shall remain in office, unless sooner removed or suspended for cause.

SECTION 3. Implementing Rules and Regulations – The Commission on Elections within ninety (90) days after the effectivity of this Act, shall promulgate such rules and regulations necessary to implement this Act.

SECTION 4. Repealing Clause – All laws, decrees, ordinances, rules or regulations or parts thereof inconsistent or in conflict with the provisions of this Act are hereby expressly

repealed, amended, or modified accordingly.

SECTION 5. Separability Clause – If for any reason any section or provision of this Act is declared to be unconstitutional or invalid, the other sections or provisions hereof which are not affected hereby shall continue to be in full force and effect.

SECTION 6. Effectivity – This Act shall become effective fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,