

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3187



Introduced by **HON. EDGAR M. CHATTO**
First District, Bohol

EXPLANATORY NOTE

The recent postponements in the barangay and sangguniang kabataan elections, while serving its purpose, has unwittingly resulted in the change in the term of office of the elected officials which, under the Local Government Code, is a three-year term. The last postponement has given only a two-year term to sitting barangay and sangguniang kabataan officials.

To correct the situation an amendment of the law is necessary.

In the words of His Excellency, President Rodrigo R. Duterte, the change is necessary "to rectify the truncated terms (of the barangay and sangguniang kabataan officials) ...but also provide them with the ample time to finish their programs and projects." This is consistent with the President's commitment to empower the local government.

Being the most basic political unit, the barangays are at the forefront of the delivery of basic services, internal security and economic activities. They serve as the first line of defense, the first responder in disasters, the first go to office in all matters affecting community life.

To give them time enough to plan and execute necessary programs, not to mention all the national programs which necessarily trickle down to them for implementation, would benefit the lowest level in the grassroots. Families and communities in far-flung areas will, ultimately, stand to gain.

In view of the foregoing, the passage of the instant proposed measure is earnestly sought.


REP. EDGAR M. CHATTO

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"AN ACT
POSTPONING THE OCTOBER 2020 BARANGAY AND SANGGUNIAN
KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE 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 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 the 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 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 May 2020 shall be postponed to the last Monday of October 2022. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on October 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, Republic Act No. 10923, and Republic Act No. 10952 is 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 2020 elections and subsequently thereafter, shall commence at noon of June 30 next following their elections."

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 official who are ex-

officio members of the sangguniang bayan, sangguniang panglungsod, 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 sangguniangs under the supervision of the Department of the Interior and Local Government.

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

SEC. 5. Prohibition on Appointments of Government Officials and Employee. - 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 the 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-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 May 2018.

SEC. 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 Kabatan 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, promulgate 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 provision of this Act are hereby repealed, amended, or modified accordingly.

SEC. 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.

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

Approved.