

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 3959



Introduced by Hon. Juliet Marie de Leon Ferrer

EXPLANATORY NOTE

This measure seeks to extend the Barangay and SK election from May 2020 to May 2021. The 2019 midterm election has just been concluded last May where massive preparations have been made and huge budget has just been spent.

The postponement of the 2020 Barangay and SK election will likewise allow the sitting Barangay and SK officials to complete their programs and platforms as they will then have effectively more than two (2) years to execute such plans, programs and projects.

Moreover, the Commission on Election (COMELEC) will have ample time to prepare and budget will be properly planned for the election.

It is for these reasons that I seek the approval of this bill.


JULIET MARIE DE LEON FERRER
4th District, Negros Occidental

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House Bill No. **3959**

Introduced by Hon. Juliet Marie de Leon Ferrer

**AN ACT POSTPONING THE MAY 2020 BARANGAY AND
SANGGUNIAN KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE
REPUBLIC ACT NO. 10952, AND 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 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 11, 2020 shall be postponed to the second Monday of **May 2021**. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on the second Monday of **May 2021** and every three (3) years thereafter."

SEC. 2. Section 4 of Republic Act 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 2021** 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 **January 31, 2022**, 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] November 2021.

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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.