

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

SEVENTEENTH CONGRESS  
First Regular Session

House Bill No. 743

HOUSE OF REPRESENTATIVES	
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Introduced by DIWA Party-list Representative Emmeline Y. Aglipay – Villar

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#### EXPLANATORY NOTE

The right to suffrage is an essential right in a democracy, and the act of voting is the most direct means by which a citizen exercises the sovereignty of the people. As such, the State must bend over backwards to ensure that no qualified citizen who desires to vote is unable to do so.

This bill, a combination of House Bills Nos. 4545 and 4546 (both by Rep. Gabriel Luis R. Quisumbing), 1633 (by Rep. Rufus B. Rodriguez and Rep. Maximo B. Rodriguez, Jr.), 4958 (by Rep. Angelina “Helen” D. L. Tan, M.D.) and our own House Bill no. 828, seeks to facilitate, through the creation of an Early Voting Day, the exercise of the right of suffrage for three classes of citizens: senior citizens, persons with disabilities, and employees required to work on election day.

Senior citizens and persons with disabilities may have special difficulties with regard to mobility, endurance, or capacity that would require special attention. As for employees, while it is understood that certain business will require the services of essential employees during holidays, even on Election Day, employers too must bend to the primordial right of every qualified citizen to vote.

*Emmeline Y. Villar*

**EMMELINE Y. AGLIPAY-VILLAR**  
Representative, DIWA Party-list

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**AN ACT**  
**PROVIDING FOR QUALIFIED EARLY VOTING FOR SENIOR CITIZENS,**  
**PERSONS WITH DISABILITIES, AND WORKERS REQUIRED TO WORK ON**  
**ELECTION DAY**

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

**SECTION 1. Short Title.** – This Act shall be known and cited as the “Qualified Early Voting Act.”

**SECTION 2. Declaration of Policies.** –It is hereby declared the policy of the State that the right of suffrage, as embodied in our Constitution, should be enjoyed to the fullest extent by all qualified Filipino citizens. It is likewise the policy of the State to facilitate the exercise of this right by citizens who are, with just cause, unable to cast their votes on Election Day.

**SECTION 3. Definitions.** – For purposes of this Act, the following terms shall possess these definitions:

- a) Early Voting Day – The date, as set by the COMELEC, when Qualified Early Voters may exercise their right of suffrage.
- b) Election Day – The day set by the Constitution or the applicable law that serves as the scheduled date for the casting of ballots in national and/or local elections, whether regular or special.
- c) List of Potential Employee Early Voters – A list of employees that an employer will require to work on Election Day.
- d) Persons With Disability (PWDs) – Persons as defined under Republic Act No. 7277.
- e) Proof of Registration – Documentation that, according to the law and COMELEC Rules and Regulations, proves that an individual is a registered voter, such as the identification card issued to a voter under the Omnibus Election Code.
- f) Senior Citizen – any resident citizen of the Philippines at least sixty (60) years old, as

defined in Republic Act No. 9994.

- g) Qualified Early Voter – Any registered voter, not otherwise disqualified from exercising their right to vote, who: (a) is a Senior Citizen; or (b) a Person With Disability; or (c) is required by his employer to work on Election Day, and by reason thereof cannot cast his/her vote on Election Day; and whose name is included in the Qualified List of Potential Employee Early Voters; and.

**SECTION 4. Obligations of an Employer.** -(a) Any employer that intends to require any of its employees to report to work on Election Day shall, before the last day of voter registration, before Election Day, submit to the Commission on Elections (COMELEC) a List of Potential Employee Early Voters; provided, that a List of Potential Employee Early Voters shall only be valid for a single Election Day. Employees shall be duly notified of the submission and contents of the List of Potential Employee Early Voters.

(b) An employee whose name is not included in the aforementioned list may not be required by the employer to work on Election Day, except in the case of Emergency Overtime Work, as embodied in the Labor Code.

(c) Should a Qualified Early Voter desire to cast his or her ballot on Early Voting Day, employers shall, upon presentation by the Qualified Early Voter of his or her Proof of Registration, grant any Qualified Early Voters a leave of at least one (1) day with pay on Early Voting Day, in order for the Qualified Early Voters to cast their ballots; provided, that a Qualified Early Voter must notify his or her employer at least one (1) week before Early Voting Day of his or her intent to vote.

**SECTION 5. Obligations of the COMELEC.** –

(a) COMELEC shall keep a record of Persons With Disabilities (PWDs) and Senior Citizens who are registered as voters. The COMELEC shall create the procedure by which PWDs can register their status with the

(b) COMELEC shall coordinate with the Local Government Units (LGU), National Council on Disability Affairs (NCDA), the Commission on Human Rights (CHR), the Department of Health (DOH), the Department of Local and Interior Government (DILG) in designing systems and assistance to be accorded to Senior Citizens.

(c) COMELEC shall designate accessible polling places where Persons With Disabilities (PWDs) may be able to cast their vote, ensuring that such polling places are provided with the necessary mobility, communication, visual and other forms of assistance for concerned voters.

(d) The COMELEC shall verify that the employees on the List of Potential Employee Early Voters are, in fact, registered, living, voters, and not disqualified from exercising their right of suffrage.

(e) Sixty (60) days before Election Day, the COMELEC shall determine and publicize the date of the Early Voting Day, and the polling locations where Qualified Early Voters may cast their ballots.

(f) The COMELEC shall ensure that COMELEC representatives shall have an accurate list of the Qualified Early Voters within the jurisdiction of their respective polling locations.

**SECTION 6. Right to Early Voting.** -Qualified Early Voters may cast their ballots at the designated polling locations during Early Voting Day, in a manner that is, as far as practicable, identical to the manner by which he or she would have voted on Election Day.

**SECTION 7. Implementing Rules and Regulations.** -Within ninety (90) days from the approval of this Act, the COMELEC shall, in consultation with any other relevant government and non-government agencies, draft and adopt the rules and regulations necessary to implement this Act; provided, that the COMELEC may authorize the submission of the List of Potential Employee Early Voters through electronic mail, subject to the creation of a means for verification of the authenticity of the same.

**SECTION 8. Appropriations.** -The amounts necessary to implement the provisions of this act shall be included in the annual General Appropriations Act.

**SECTION 9. Repealing Clause.** -All laws, decrees, rules and regulations or parts thereof, which are contrary to or inconsistent with this Act are hereby repealed or modified accordingly.

**SECTION 10. Separability Clause.** -If any part or provision of this Act is declared unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

**SECTION 11. Effectivity Clause.** -This Act shall take effect fifteen days from its publication in two national newspapers of general circulation after its approval by the President.

Approved,