

Republic of the Philippines
House of representatives
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 396



Introduced by Representative EDGAR R. ERICE

EXPLANATORY NOTE

With this proposed measure, we are seeking to postpone and/or reset the forthcoming barangay elections from its originally-set schedule on May 2020 to October 2022, amending for this purpose, Republic Act (R.A.) No.10656.


Section 429 of Republic Act No. 7160 otherwise known as The Local Government Code of 1991 states that "the Sangguniang Kabataan chairman and members shall hold office for a period of three (3) years unless sooner removed for cause as provided by law, permanently incapacitated, die or resign from office."

Last May 14, 2018, the country had a synchronized barangay and sangguniang elections and the subsequent election will be held on the second Monday of May 2020 as mandated by R.A. No. 10656. This gave the incumbent officials only two (2) years to serve which is not in consonance with the Local Government Code.

Furthermore, by postponing and resetting the Barangay and Sangguniang Elections on October 2022, we can prevent the influence of political partisan that may affect the National and Local Election on May 2022.

The proposed postponement would in effect give an extension of an additional two (2) years for our incumbent barangay officials; time that is sufficient for them to finish whatever worthy programs that they have started, but more importantly, to ensure stability in our barangay affairs. Hence, it would be prudent and logical that the barangay elections be on October 2022.

In view of the foregoing, support for the immediate passage of this measure is earnestly solicited.


EDGAR R. ERICE
2nd District, Caloocan City

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

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

Section 1. Section 1 of Republic Act No. 10952, as amended by the Republic Act no. 9164, Republic Act No. 9340, Republic Act No. 10632, Republic Act No. 10656, and Republic Act No. 10923, 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 **LAST MONDAY OF OCTOBER 2022** and every three (3) years thereafter.”

Section 2. Section 2 of Republic Act No. 10952, as amended by the Republic Act no. 9164, Republic Act No. 9340, Republic Act No. 10632, Republic Act No. 10656, and Republic Act No. 10923, 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 **NOVEMBER 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."~~

Section 3. The provisions of Section 3 of Republic Act No. 10952, as amended by the Republic Act no. 9164, Republic Act No. 9340, Republic Act No. 10632, Republic Act No. 10656, and Republic Act No. 10923, is hereby further amended to read as follows:

"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 banyan, 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 **DECEMBER 31, 2022**, conduct elections for ex officio positions in the sanggunians under the supervision of the Department of the Interior and Local Government."

Section 4. Funding. The budgetary allocation needed to carry out the provisions of this Act is hereby authorized to be appropriated in the General Appropriations Act of the year immediately following its enactment into law.

Section 5. Implementing Rules and Regulations. The Commission on Elections shall promulgate the implementing rules and regulations necessary to implement this Act.

Section 6. Separability Clause. - If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provisions not otherwise affected shall remain valid and subsisting.

Section 7. Repealing Clause. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

Section 8. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,