Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2727

Introduced by Honorable Wes Gatchalian

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

Explanatory Note

In the recent pronouncement of President in his State of the Nation address, he had appealed for the postponement of the barangay elections - postulating to give ample time for these political units to continue the programs they had laid down. This initiative seeks to heed the call of the President.

This Representation is in consonance with the reservation espoused by the President that the State must maintain stability and constancy in the programs implemented especially in the grassroots level. The three-year period seem too short to provide the uninterrupted continuity in the pursuit of the goals laid down by these barangay officials. The barangays being the “primary planning and implementing unit of government policies, plans, programs, projects, and activities in the community”, it is of primordial interest that we grant them ample time to fulfill these endeavours. Hence, we seek to postpone the scheduled May 2020 elections to May 2022 in keeping with the direction which the President had proposed.
In view of this, the approval of this measure is earnestly sought.

HON. WES. GATCHALIAN
Representative, 1st District Valenzuela City
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Be it enacted by the Senate and House of Representatives of the
Philippines in Congress assembled:

Section 1. Declaration of Policy. - It is the prime duty of the State to
serve and protect the people. In line with this duty, the State seeks to maintain
stability and constancy in the programs implemented especially in the
grassroots level. The three-year period for our barangay officials seem too short
to provide the uninterrupted continuity in the pursuit of the goals laid down by
the barangay officials. The barangays being the "primary planning and
implementing unit of government policies, plans, programs, projects, and
activities in the community", it is of primordial interest that we grant them
ample time to fulfill these endeavor. It is hereby declared the policy of the
State to postpone the May 2020 barangay and sangguniang kabataan elections
to May 2022 to provide ample time for the general welfare of the people.

Sec. 2. Section 1 of Republic Act No. 9164, as amended by 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 the second Monday of May 2020
SHALL BE POSTPONED TO THE SECOND MONDAY OF MAY 2022.
Subsequent synchronized barangay and sangguniang kabataan elections
shall be held every three (3) years thereafter."

Sec. 3. Hold Over. - Until their successors shall have been duly elected
and qualified, or until the President, through the Executive Secretary, shall appoint officers-in-charge for the barangay, all incumbent barangay officials shall remain in office, unless sooner removed or suspended for cause: Provided, that in addition to the other causes under existing laws, inclusion of the name of an incumbent barangay official in the duly confirmed and validated Drug List provided to and in possession of the President shall constitute sufficient cause for the appointment of officers-in-charge for the barangay; and Provided, finally, that barangay officials who are ex officio members of the sangguniang bayan, 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, within thirty (30) days after the next barangay election, conduct elections for ex officio positions in the sanggunians 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 a period of ten (10) days immediately preceding the date of election, the provisions of Section 261, paragraphs (v) and (w), of the Omnibus Election Code to the contrary notwithstanding.

Sec. 5. Prohibition on Appointments of Government Officials. - 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 a 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. Implementing Rules and Regulations. - The COMELEC shall, within thirty (30) days after the effectivity of this Act, promulgate such rules and regulations necessary to implement this Act.

Sec. 7. 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. 8. 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. 9. Effectivity. - This Act shall take effect fifteen (15) days following the completion of its publication either in the Official Gazette or in a newspaper of general circulation in the Philippines.

Approved