

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 4310



Introduced by: **REPRESENTATIVE ERIC L. OLIVAREZ**

EXPLANATORY NOTE

Article V, Section 1 of the 1987 Philippine Constitution provides that, "Suffrage may be exercised by all citizens of the Philippines not otherwise disqualified by law, who are at least eighteen years of age, and who shall have resided in the Philippines for at least one year and in the place wherein they propose to vote for at least six months immediately preceding the election. No literacy, property, or other substantive requirement shall be imposed on the exercise of suffrage."

The right of suffrage is one of the pillars of Philippine democracy, it is the very soul of people's expression for the conduct of State affairs. The voting public should not be constrained or limited in the free exercise thereof by the overcrowded voting precincts, inconvenient locations and additional burdens that come along the whole process. The exercise of such right should then be modified to reflect not only the used of modern or computerized technologies by the Commission on Elections (COMELEC) but more so in adapting to the changing times brought by fast paced lifestyle and seeking the convenience of the people.


It is a common practice for Filipinos to flock the malls for a variety of reasons, one of which is for convenience. Given that it has become a one stop shop for everyone, a hub on its own where business and recreation take place. These establishments maintained by private entities have risen to all the demands of the public; comfort brought by

the air conditioning, availability of parking space, sufficient security measures, safety for all its patrons, presence of police authorities within the area, and coordinated control center for the facilities.

The creation of voting precincts/ sites in these places would yield to better attendance of the voters who will be positively affected by the appropriate progress for the electorate. This bill seeks to encourage more citizens to exercise their right to vote through the facilitation of elections by means of providing comfort, especially for the senior citizens who will escape the burden of going to the crowded public school precincts.

The Commission on Elections (COMELEC) has piloted a program where they allowed and actually conducted registration procedures within the premises of shopping malls in accordance with the normal operating hours, thus, the goal to educate and encourage the people to get registered was achieved. This bill seeks to attain the best results for the people and make sure that resources of the government are being utilized to enhance the accessibility of polling places.

Hence the passage of this bill is earnestly sought.


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AN ACT ESTABLISHING THE STRUCTURES AND OTHER MECHANISMS FOR THE ALLOWANCE OF VOTING IN ALL NATIONAL AND LOCAL ELECTIONS WITHIN THE PREMISES OF SHOPPING MALLS AND APPROPRIATING FUNDS THEREOF.

SECTION 1: *Title*- This Act shall be known as the “*Mall Voting Convenience Act of 2019*”.

SECTION 2: *Declaration of Policy* – The state shall ensure the free exercise of the right of suffrage by all citizens of the Philippines not otherwise disqualified by law.

SECTION 3: *Mall Voting* – The Commission on Elections (COMELEC) shall set up structures and other mechanisms to allow the voting in all national and local elections, except barangay elections, within the premises of shopping malls which shall include the following:

- The list of specific shopping malls which shall be utilized as voting precincts;
- The transfer of list of voters to be considered in the creation of mall voting sites who are to vote in such shopping malls as voting precincts;
- The installation of voting machines and other devices to be used by the registered voters;

- The manner in which elections shall be conducted in these satellite voting precincts;
- Such other mechanisms necessary for mall voting;

SECTION 4. *Notification* – The COMELEC shall send a notice to the registered voter who is included in the list of voters entitled to vote in mall voting sites. However, any registered voter may opt to avail the right to vote in mall voting sites either by giving a written notice to the COMELEC or by informing in person the COMELEC or any of its Regional, Provincial, City or Municipal Election Registrar;

SECTION 5: *Appropriations* – The COMELEC shall include allocation in its budget programs for the implementation of this Act. The initial funding of this Act shall be charged against the current year's appropriations or from any available savings of the COMELEC. Thereafter, such amount as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SECTION 6. *Implementing Rules and Regulations* – The COMELEC shall promulgate the Implementing Rules and Regulations to carry out the provisions of this Act. Such rules and regulations shall take effect upon their publication in three (3) newspapers of general circulation.

SECTION 7: *Repealing Clause* – All laws, decrees, executive orders, rules and regulations and other issuances or parts thereof that are inconsistent with this Act are hereby repealed, amended or modified accordingly.

SECTION 8: *Effectivity* – This Act shall take effect fifteen (15) days following its publication in at least three (3) national newspapers of general circulation.

APPROVED.