

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2888



Introduced by Representative Edgar Mary S. Sarmiento

EXPLANATORY NOTE

This bill seeks to postpone the May 2020 Barangay and Sangguniang Kabataan (SK) Elections to May 2022.

The barangay is the most basic political unit of the country. It serves as the primary planning and implementing unit of the government policies, plans, programs and projects. The barangay also provides a platform for every resident to actively participate in the community. On the other hand, the SK was instituted to ensure that the youth would be active and be represented down at the grassroots level.

The most recent Barangay and SK Elections were moved from its original schedule of October 2017 to May 2018. In the very law that implemented this change, the next Barangay and SK Elections were still set to May 2020.

The abovementioned Barangay and SK Elections, as well as the May 2019 National and Local Elections, were faced with several issues.

During the May 2018 Barangay and SK Elections, "violence, vote buying, confusion, and disenfranchisement which were encountered by voters and candidates".¹ There were numerous incidents of vote buying and intimidation of voters. Calbayog City itself was shaken by the beheading of a candidate's husband days before the election day. That is just one of the many incidents of violence that plague the country as a prologue to the Barangay and SK Elections. The same plague reared its ugly head during the May 2019 National and Local Elections.

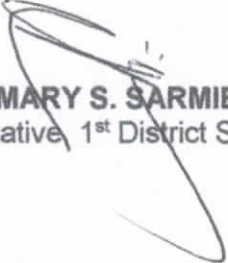
Resetting the elections to May 2022 will allow the COMELEC (and other concerned agencies and offices) to investigate and address these security-risks and issues. The ample time will help the country employ measures to eradicate and prevent massive vote-buying, intimidation and violence.

Furthermore, moving the Barangay and SK Elections from May 2020 to May 2022 will provide sitting Barangay and SK Officials the reasonably necessary time to fully implement their policies and programs. This postponement will allow non-disruption of their administrations and work to the benefit of the people. Furthermore, scheduling this election at the same time as National and Local Elections will be more financially efficient and save COMELEC and the country millions of pesos.

¹ <https://www.rappler.com/nation/202506-barangay-sk-elections-2018-problems-reports-provinces>

The importance of the Barangay and Sangguniang Kabataan Elections could not be more elucidated. It is one of the primary mechanisms which ensures that the people are rightfully represented at the local level. However, being a political process, it is not insulated from influences of partisanship. The Congress, therefore, must enact safeguards to assure that the Barangay and Sangguniang Kabataan Elections would be for the benefit of the community.

In view thereof, approval of this bill is earnestly sought.



EDGAR MARY S. SARMIENTO
Representative, 1st District Samar

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HOUSE BILL NO. _____

Introduced by Representative Edgar Mary S. Sarmiento

**AN ACT POSTPOINING THE MAY 2020 BARANGAY AND SANGGUNIANG
KABATAAN ELECTION TO MAY 2022, AMENDING FOR THIS PURPOSE
REPUBLIC ACT NO. 9164**

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

1 **SECTION 1.** Section 1 of Republic Act No. 9164, as amended by Republic Act No.
2 9340, Republic Act No. 10656, Republic Act no. 10923, and Republic Act No. 10952
3 is hereby further amended to read as follows:
4

5 "SECTION 1. *Date of Election* – There shall be synchronized barangay and
6 sangguniang kabataan elections, which shall be held on July 15, 2002.
7 Subsequent synchronized barangay and sangguniang kabataan elections shall
8 be held on the last Monday of October 2007 and every three (3) years
9 thereafter; Provided that the barangay and sangguniang kabataan elections on
10 **May 11, 2020** [October 23, 2017] shall be postponed to the second Monday of
11 **May 2022** [2018]. Subsequent synchronized barangay elections shall be held
12 on the second Monday of May **2025** [2020] and every three (3) years
13 thereafter."
14

15 **SECTION 2.** Section 4 of Republic Act No. 9164, as amended by Republic Act
16 No. 9340, Republic Act No. 10656, Republic Act no. 10923, and Republic Act No.
17 10952 is hereby further amended to read as follows:
18

19 "SECTION 4. *Assumption of Office.* – The term of office of the barangay and
20 sangguniang kabataan officials under this Act shall commence at noon of June
21 30 next following their election; *Provided, however,* that the term of office of the
22 barangay and sangguniang kabataan officials in the **May 2025** [2020] elections
23 and subsequently thereafter, shall commence at noon of June 30 next following
24 their election."
25

26 **SECTION 3.** *Hold Over* – Until the successors shall have been duly elected
27 and qualified, all incumbent barangay officials shall remain in office, unless sooner
28 removed or suspended for cause; *Provided,* that barangay officials who are *ex officio*
29 members of the sangguniang bayan, sangguaniang panlungsod, or sangguaniang
30 panlalawigan, as the case may be, shall continue to serve as such member sin the
31 sanggunian concerned until the barangay election. The Liga ng mga Barangay at the
32 municipal, city, and provincial levels shall, not later than July 31, 2022, conduct

1 elections for *ex officio* positions in the sanggunians under the supervision of the
2 Department of the Interior and Local Government.

3
4 **SECTION 4. *Implementing Rules and Regulations*** – The Commission on
5 Elections shall, within ninety (90) days after the effectivity of this Act, shall promulgate
6 such rules and regulations necessary to implement this Act.

7
8 **SECTION 5. *Repealing Clause*** – All law, decrees, ordinances, rules or
9 regulations or parts thereof, inconsistent or in conflict with the provisions of this Act are
10 hereby expressly repealed, amended, or modified accordingly.

11
12 **SECTION 6. *Separability Clause*** – If for any reason any section or provision of
13 this Act is declared to be unconstitutional or invalid, the other sections or provisions
14 hereof which are not affected hereby shall continue to be in full force and effect.

15
16 **SECTION 7. *Effectivity*** – This Act shall become effective fifteen (15) days after
17 its publication in the Official Gazette or in two (2) newspapers of general circulation.

18
19 Approved.