

SIXTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Second Regular Session

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75 FEB 24 AIO:21

SENATE

RECEIVED BY: *JW*

COMMITTEE REPORT NO. 103

Submitted by the Committees on Electoral Reforms and People's Participation; and
on Finance on FEB 24 2015.

Re: Senate Bill No. 2361.

Recommending its approval without amendment.

Sponsors: Senators Pimentel III and Escudero

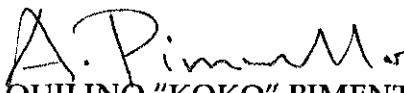
MR. PRESIDENT:

The Committees on Electoral Reforms and People's Participation; and on
Finance, to which were referred Senate Bill No. 2361, introduced by Senator
Pimentel III, entitled:

**"AN ACT
REPEALING SECTION 55 OF BATAS PAMBANSA BLG. 881,
OTHERWISE KNOWN AS THE OMNIBUS ELECTION
CODE OF THE PHILIPPINES, AS AMENDED, AND
MANDATING THE COMMISSION ON ELECTIONS TO
PROVIDE FOR THE OFFICE SPACES OF ITS FIELD
OFFICES"**

have considered the same and have the honor to report it back to the Senate with
the recommendation that it be approved without amendment.

Respectfully submitted:


AQUILINO "KOKO" PIMENTEL III

Chairman
Committee on Electoral Reforms and People's Participation
Member
Committee on Finance



FRANCIS "CHIZ" G. ESCUDERO

Chairman
Committee on Finance
Member
Committee on Electoral Reforms and People's Participation



GRACE POE
Vice-Chairperson
Committee on Electoral Reforms
& People's Participation
Member, Committee on Finance

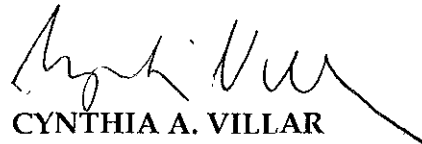


SERGIO R. OSMENA III
Vice-Chairman
Committee on Finance
Member, Committee on Electoral
Reforms & People's Participation

M E M B E R S

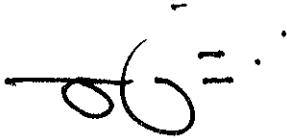


LOREN LEGARDA
Committee on Electoral Reforms
& People's Participation
Committee on Finance




CYNTHIA A. VILLAR
Committee on Electoral Reforms
& People's Participation
Committee on Finance

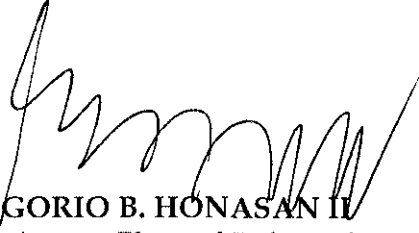
TEOFISTO L. GUINGONA III
*Committee on Electoral Reforms
& People's Participation
Committee on Finance*



JOSEPH VICTOR G. EJERCITO
*Committee on Electoral Reforms &
People's Participation
Committee on Finance*



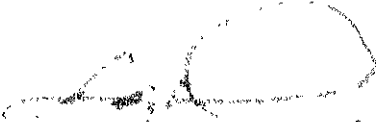
ANTONIO "SONNY" TRILLANES IV
*Committee on Electoral Reforms
& People's Participation*



GREGORIO B. HONASAN II
*Committee on Electoral Reforms &
People's Participation
Committee on Finance*

VICENTE C. SOTTO III
*Committee on Electoral Reforms &
People's Participation
Committee on Finance*

PIA S. CAYETANO
Committee on Finance



MANUEL "LITO" M. LAPID
Committee on Finance



FERDINAND R. MARCOS, JR.
Committee on Finance

RAMON "BONG" REVILLA, JR.
Committee on Finance



SONNY ANGARA
Committee on Finance

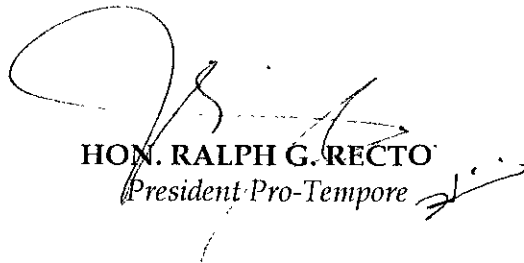
MIRIAM DEFENSOR SANTIAGO
Committee on Finance



MARIA LOURDES NANCY S. BINAY
Committee on Finance

JINGGOY EJERCITO ESTRADA
Committee on Finance

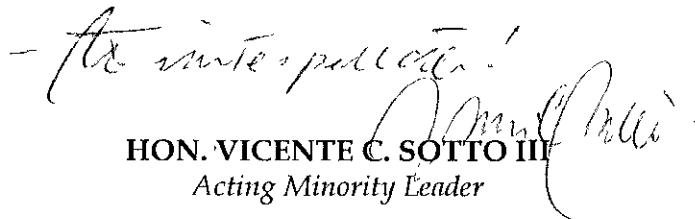
Ex Officio Members:



HON. RALPH G. RECTO
President Pro-Tempore

HON. ALAN PETER "COMPANERO" S. CAYETANO
Majority Leader

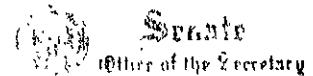
HON. JUAN PONCE ENRILE
Minority Leader



HON. VICENTE C. SOTTO III
Acting Minority Leader

HON. FRANKLIN M. DRILON
President
Senate of the Philippines
Pasay City

SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



14 AUG 18 P4:09

SENATE
S. B. No. 2361

RECEIVED BY. *ji*

Introduced by Senator Aquilino "Koko" Pimentel III

AN ACT
REPEALING SECTION 55 OF BATAS PAMBANSA BLG. 881, OTHERWISE
KNOWN AS THE OMNIBUS ELECTION CODE OF THE PHILIPPINES, AS
AMENDED, AND MANDATING THE COMMISSION ON ELECTIONS TO
PROVIDE FOR THE OFFICE SPACES OF ITS FIELD OFFICES

EXPLANATORY NOTE

The independence of the Commission on Elections (COMELEC) is guaranteed under *Article IX, Part A, Section 1* of the 1987 Constitution. To guarantee this independence, the Constitution granted COMELEC fiscal autonomy, which allows the COMELEC full flexibility to allocate and utilize its resources with the wisdom and dispatch that are required. (*Bengzon v. Drilon*, G.R. No. 103524, 15 April 1992).

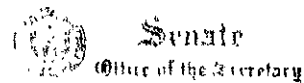
This independence, however, is curtailed by *Section 55* of *Batas Pambansa Blg. 881*, otherwise known as the Omnibus Election Code of the Philippines, as amended, which mandates local government units (LGUs) to provide a suitable place for the respective offices of the provincial supervisor and the election registrar and their staff. The same provision also states that in the event the LGU fails to provide such suitable offices, the rentals thereon shall be chargeable to the funds of the LGU concerned. This set-up provided by *Section 55* of the Omnibus Election Code, made election officers and poll personnel vulnerable to harassment by local leaders.

In order to address this abridgement of the constitutionally guaranteed independence of COMELEC, it is the intention of this Bill to repeal *Section 55* of the Omnibus Election Code so as to direct COMELEC to provide for the office spaces of its field offices.

In view of the foregoing, the immediate passage of this bill is earnestly sought.

A. Pimentel
AQUILINO "KOKO" PIMENTEL III

SIXTEENTH CONGRESS OF THE)
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Introduced by Senator Aquilino "Koko" Pimentel III

AN ACT
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PROVIDE FOR THE OFFICE SPACES OF ITS FIELD OFFICES

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

1 **SECTION 1.** The Commission on Elections is hereby mandated to provide
2 a suitable office space for its field offices enumerated in Section 53 of Batas
3 Pambansa Blg. 881, as amended.

4
5 **SECTION 2.** *Rules and Regulations.* – The Commission shall promulgate
6 rules and regulations for the implementation and enforcement of this Act within
7 sixty (60) days from the effectivity of this Act.

8
9 **SECTION 3.** *Appropriation.* – The amount necessary for the
10 implementation and enforcement of this Act shall be charged against the current
11 year's appropriations or from any available savings of the Commission.
12 Thereafter, such amount as may be necessary for the continued implementation
13 of this Act shall be included in the annual General Appropriations Act.

14

1 **SECTION 4. *Repealing Clause.***— Section 55 of Batas Pambansa Blg. 881,
2 otherwise known as the Omnibus Election Code of the Philippines, as amended,
3 is hereby repealed.

4
5 **SECTION 5. *Separability Clause.***— If any portion or provision of this Act is
6 declared unconstitutional, the remainder of this Act or any provisions not
7 affected thereby shall remain in force and effect.

8
9 **SECTION 6. *Effectivity.***— This Act shall take effect fifteen (15) days after
10 its publication in at least two (2) newspapers of general circulation.

11

Approved,