

SIXTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Second Regular Session

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Senate
Office of the Secretary

'15 MAY 12 P5:13

SENATE

RECEIVED BY: J

COMMITTEE REPORT NO. 142

Submitted by the Committee on Electoral Reforms and People's Participation
on MAY 12 2015.

Re: Senate Bill No. 1719 taking into consideration Senate Bill No. 1675.

Recommending its approval with amendments.

Sponsor: Senator Pimentel III

MR. PRESIDENT:

The Committee on Electoral Reforms and People's Participation, to
which was referred **Senate Bill No. 1719** introduced by Senator Defensor
Santiago, entitled:

**"AN ACT
PROVIDING FOR THE MINIMUM CONTENTS OF A
COMPREHENSIVE REPORT OF ELECTIONS TO THE PRESIDENT
AND TO CONGRESS BY THE COMMISSION ON ELECTIONS"**

taking into consideration **Senate Bill No. 1675** introduced by Senator Estrada,
entitled:

**"AN ACT
PROVIDING FOR THE MINIMUM CONTENTS OF A
COMPREHENSIVE REPORT OF ELECTIONS TO THE PRESIDENT
AND TO CONGRESS BY THE COMMISSION ON ELECTIONS"**

has considered the same and has the honor to report it back to the Senate with the recommendation that Senate Bill No. 1719 be approved with the following amendments; to wit:

1. On page 1, line 8 - insert the article "**THE**" between the phrase "In line with this," and the word "Commission";

2. On the same page and line - after the phrase "Commission on Elections" insert the acronym "**(COMELEC)**" enclosed in an open and close parenthesis;

3. On page 1, line 10 - after the word "referendum" insert a comma "," mark and thereafter delete the word "and" and replace it with the word "**OR**";

4. On page 1, line 11 - in the word "comprehensive" delete the small letter "c" and replace it with a capital letter "**C**";

5. On page 1, line 12 - after the word "Congress" delete the phrase "after every regular or special election shall contain, but not limited to, the following:" and replace it with the phrase "**AFTER THE CONDUCT OF EVERY REGULAR OR SPECIAL ELECTION, PLEBISCITE, REFERENDUM, OR RECALL, SHALL, AT THE MINIMUM, CONTAIN THE FOLLOWING:**";

6. On page 1, line 14 - after the word "Assessment" delete the period "." mark;

7. On page 1, line 16 - after the word "calendar" delete the period "." mark and insert the following sub-paragraphs to read as:

"(a) HISTORICAL/LEGAL BACKGROUND OF THE REGULAR OR SPECIAL ELECTION, PLEBISCITE, REFERENDUM, OR RECALL;

(b) PRE-ELECTION ACTIVITIES, WHICH SHALL, AT THE MINIMUM, CONTAIN THE FOLLOWING:

(1) PRE-ELECTION LOGIC AND ACCEPTANCE TESTING OR ITS EQUIVALENT DEPENDING ON THE AUTOMATED ELECTION SYSTEM USED;

(2) TRANSMISSION TESTING;

(3) MOCK ELECTIONS;

(4) FINAL TESTING AND SEALING;

(5) VOTER EDUCATION;

(6) DATA ON THE CAMPAIGN

(a) BROADCAST ELECTION PROPAGANDA;

(b) ONLINE VOTER VIGILANCE CAMPAIGN;

(c) LIQUOR BAN;

(d) MONEY BAN."

8. On page 1, line 18 – after the word "exercise" delete the period "." mark and replace it with a semi-colon ";" mark;

9. On page 1, line 20 – after the word "if" insert the word "**ANY**" and a semi-colon ";" mark at the end thereof;

10. On page 2, line 2 – after the article "the" delete the phrase "Commission on Elections deem" and in lieu thereof replace it with the phrase "**COMELEC DEEMS**";

11. On page 2, line 9 - after the word "cancelled" delete the period "." mark and replace it with a semi-colon ";" mark and thereafter insert additional sub-paragraphs to read as follows:

"(d) NUMBER OF REGISTERED VOTERS FOR OVERSEAS ABSENTEE VOTING;

(e) NUMBER OF OVERSEAS VOTERS WHO ACTUALLY VOTED;

(f) NUMBER OF REGISTERED VOTERS FOR LOCAL ABSENTEE VOTING;

(g) NUMBER OF REGISTERED VOTERS WHO ACTUALLY VOTED UNDER THE SYSTEM OF LOCAL ABSENTEE VOTING."

12. On page 2, line 17 – between the alpha numeric number "(d)" and the phrase "Number of precincts" insert the phrase "**NAME AND**" and in the word "Number" delete the capital letter "N" and replace it with a small letter "N";

13. On the same page and line – after the word "that" delete the phrase "actually functioned or";

14. On page 2, line 18 – after the words "city/municipality" insert a comma "," mark and thereafter add the phrase "**SPECIFYING THE REASONS FOR THE SAID PRECINCTS' FAILURE TO FUNCTION**" and a comma "," mark;

15. On the same page and line – after the article "the" delete the word "grant" and replace it with the word "**GRAND**" and after the word "nationwide" delete the period mark "." and replace it with a semi-colon ";;" mark;

16. On page 2, line 19 – insert a new sub-paragraph small letter "**(E)**" enclosed in an open and close parenthesis to read as follows: "**(E) OBSERVATIONS ON THE FAILURE TO FUNCTION OF THE PRECINCTS AND THE APPROPRIATE RECOMMENDATIONS.**";

17. On page 2, line 19 – in the word "other" delete the small letter "o" and replace it with a capital letter "**O**";

18. On page 2, line 20 – capitalize the first letter of the words "accountable" and "forms" and thereafter delete the period "." mark;

19. On page 2, line 21 – after the word "returns" insert a comma "," mark;

20. On page 2, line 23 – after the phrase "ballot boxes" insert a comma "," mark;

21. On page 2, line 26 – after the phrase "party affiliation" insert a comma "," mark;

22. On page 3, line 1 – in the word "Vice-president" delete the small letter "p" and replace it with a capital letter "**P**";

23. On page 3, line 2 – between the word "except" and the acronym "NCR" insert the phrase "**THE NATIONAL CAPITAL REGION**" and thereafter enclose the acronym "NCR" with an open and close parenthesis;

24. On page 3, line 4 – after the article "for" delete the word "Congressmen" and replace it with the phrase "**MEMBERS OF THE HOUSE OF REPRESENTATIVES**";

25. On page 3, line 5 – at the end of the words "Governor" and "Vice-Governor" add the small letter "**S**";

26. On page 3, line 6 – after the word "province" insert a semi-colon ";" mark and thereafter add the word "**AND**";

27. On page 3, line 8 – delete the phrase "Pangbayan /Panglungsod" and replace it with the phrase "**BAYAN/PANLUNGSOD**";

28. On page 3, line 11- after the word "On" capitalize the first letters of the following words "election", "protests", "violence", "other", "election", "violations, and "offenses";

29. On the same page and line - before the word "list" insert a small letter alpha numeric number "**(A)**" enclosed in an open and close parenthesis, making the phrase as sub-paragraph "(a)" and thereafter transfer the said sub-paragraph "(a)" to the next succeeding line;

30. On page 3, line 12 - in the word "regards" delete the small letter "s";

31. On page 3, line 13 - delete the alpha numeric number "(a)" enclosed in an open and close parenthesis and replace it with a small letter alpha numeric number "**(B)**" enclosed in an open and close parenthesis, and insert a hyphen "-" mark between the words "election" and "related";

32. On page 3, line 16 - insert the following new paragraphs to read as:

"(6) ON TRANSMISSION

(a) NUMBER OF PRECINCTS THAT TRANSMITTED RESULTS WITHOUT ISSUE;

(b) NAME AND NUMBER OF PRECINCTS THAT TRANSMITTED RESULTS WITH ISSUE AND THE REASONS FOR THE ISSUE ON TRANSMISSION;

(c) NAME AND NUMBER OF PRECINCTS THAT FAILED TO TRANSMIT RESULTS AND THE REASONS FOR SUCH FAILURE OF TRANSMISSION; AND

(d) OBSERVATIONS ON THE ISSUE AND FAILURE OF TRANSMISSION AND THE APPROPRIATE RECOMMENDATIONS.

- (7) OFFICIAL ELECTION RESULTS**
- (8) THE RANDOM MANUAL AUDIT**
- (9) NSO FINDINGS"**

33. On page 3, line 16 – renumber the old paragraph "{6}" to be the new paragraph "**(10)**";

34. On the same page and line – after the article "the" delete the phrase "Commission on Elections may deem" and replace it with the phrase "**COMELEC DEEMS**";

35. On page 3, line 17 - In the word "comprehensive" delete the small letter "c" and replace it with a capital letter "**C**".

36. On page 3, line 18 – delete the phrase "Report not more than" and replace it with the phrase "**COMELEC REPORT NOT LATER THAN**";

37. On the same page and line – after the word "election" insert a comma "," mark and the phrase "**PLEBISCITE, INITIATIVE, REFERENDUM, OR RECALL**";

38. On page 3, line 19 – insert a new Section 5 to read as follows:
"SECTION 5. STATISTICAL DATA. – CONSIDERING THAT THE STATISTICAL DATA REQUIRED UNDER THIS ACT ARE VOLUMINOUS, THE COMELEC MAY OPT TO SUBMIT THE STATISTICAL DATA TO BE REPORTED STORED IN A COMPACT DISC OR OTHER SUITABLE DIGITAL STORAGE DEVICE, WHICH SHALL BE ATTACHED TO, AND SHALL FORM PART OF, THE COMPREHENSIVE COMELEC REPORT."

39. On page 3, line 19 – renumber the old "Section 5" to be the new "**SECTION 6**" of the bill;

40. On page 3, line 20 – between the words "the" and "Report" insert the word "**COMPREHENSIVE**" with a capital letter "C" and the word "**COMELEC**";

41. On page 3, lines 20 to 21 – after the word "to" delete the phrase "all public libraries" and replace it with the phrase "**THE UNIVERSITY OF THE PHILIPPINES LAW CENTER. THE COMPREHENSIVE COMELEC REPORT SHALL LIKEWISE BE POSTED ON THE OFFICIAL WEBSITE OF THE COMMISSION.**";

42. On page 3, line 22 – insert a new Section 7 to read as follows:
"SECTION 7. POSTING OF OFFICIAL RESULTS ON THE WEBSITE OF THE COMMISSION. – THE OFFICIAL RESULTS OF THE ELECTION, PLEBISCITE, INITIATIVE, REFERENDUM, OR RECALL SHALL BE POSTED ON THE OFFICIAL WEBSITE OF THE COMMISSION UNTIL THE OFFICIAL RESULTS OF THE IMMEDIATELY SUCCEEDING ELECTION, PLEBISCITE, INITIATIVE, REFERENDUM, OR RECALL ARE RELEASED."

43. On page 3, line 22 – delete the entire provision of "Section 6" and replace it with a new "SECTION 8" to read as follows:
"SECTION 8. SEPARABILITY CLAUSE. – SHOULD ANY PROVISION OF THIS ACT OR PART HEREOF BE DECLARED UNCONSTITUTIONAL, THE OTHER PROVISIONS OR PARTS NOT AFFECTED THEREBY SHALL REMAIN VALID AND EFFECTIVE."

44. On page 4, line 1 – delete the entire provision of "Section 7" and replace it with a new "SECTION 9" to read as follows:

"SECTION 9. REPEALING CLAUSE. – ALL LAWS, DECREES, ORDERS, AND ISSUANCES, OR PORTIONS THEREOF, WHICH ARE INCONSISTENT WITH THE PROVISIONS OF THIS ACT, ARE HEREBY REPEALED, AMENDED, OR MODIFIED ACCORDINGLY."

45. On page 4, line 4 – renumber the old "Section 8" to be the new **"SECTION 10"** of the bill.

Respectfully submitted:

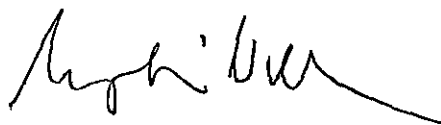

AQUILINO "KOKO" PIMENTEL III
Chair


GRACE POE
Vice-Chair


Members:



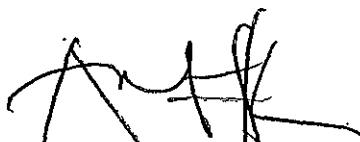
FRANCIS "CHIZ" G. ESCUDERO



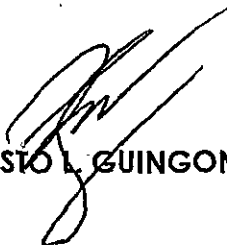
CYNTHIA A. VILLAR



LOREN B. LEGARDA



ANTONIO "SONNY" TRILLANES IV




TEOFISTO L. GUINGONA III



SERGIO R. OSMENA III




JOSEPH VICTOR G. EJERCITO



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Senate of the Philippines
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SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

13 SEP 18 P4:09

SENATE
S. No. 1719

RECEIVED BY. *ji*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article IX-C, Section 2, Paragraph 9, provides that one of the main functions of the Commission of Elections is to "submit to the President and the Congress a comprehensive report on the conduct of each election, plebiscite, initiative, referendum or recall."

Although the Comelec has been complying with this provision after every regular election, basic electoral data contained in the report are not even complete, let alone comprehensive. Interested parties, candidates, and researchers find the voluminous report of very limited value because the data in these reports are not comparable.

As an implementing act of the aforementioned constitutional provision, this bill defines the word "comprehensive" in terms of the minimum contents of such report. By providing the minimum contents of the report, the objective of the bill is to ensure that the Comelec report shall contain basic and complete electoral data as a matter of record. Further, it provides that the report be made automatically available in the National Library, all libraries of state colleges and universities, provincial or city or municipal libraries.*

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

* This bill was originally filed during the Thirteenth Congress, First Regular Session.

SIXTEENTH CONGRESS OF THE REPUBLIC)
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First Regular Session)



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SENATE
S. No. 1719

RECEIVED BY: *J*

Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 PROVIDING FOR THE MINIMUM CONTENTS OF A COMPREHENSIVE REPORT OF
3 ELECTIONS TO THE PRESIDENT AND TO CONGRESS
4 BY THE COMMISSION ON ELECTIONS

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

5 SECTION 1. *Short Title.* - This Act shall be known as the "Comprehensive COMELEC
6 Report Act."

7 SECTION 2. *Declaration of Policy.* - It is the policy of the State to document significant
8 political processes such as elections. In line with this, Commission on Elections is directed by
9 the Constitution to prepare and submit a comprehensive report on the conduct of each election,
10 plebiscite, initiative, referendum and recall to the President and to Congress.

11 SECTION 3. *Nature and Contents of the Comprehensive Report.* - A comprehensive
12 COMELEC Report to the President and the Congress after every regular or special election shall
13 contain, but not limited to, the following:

14 (A) Narrative Assessment.

15 (1) A complete but concise explanation on the context of the elections conducted
16 and the election calendar.

17 (2) Amendments to and salient features of the election code and other laws
18 governing the conduct of the electoral exercise.

19 (3) Cost of Administering the Particular Political Exercise

20 (a) The actual cost of the election to the national and local governments, if

1 (b) A breakdown of expenditures by item.

2 (4) Other information which the Commission of Elections deem important.

3 (B) Basic Electoral Data

4 (1) On Voters

5 (a) Number of registered voters per city/municipality;

6 (b) Number of voters who actually voted (voters' turnout) per
7 city/municipality;

8 (c) Number of the Voter's Registration Records (VRRs) used and
9 cancelled.

10 (2) On Precincts

11 (a) Number of precincts that functioned in the immediately preceding
12 elections by city/municipality;

13 (b) Number of precincts newly created for the election under consideration
14 by city/municipality;

15 (c) Total number of precincts for the election under review by
16 city/municipality;

17 (d) Number of precincts that actually functioned or failed to function by
18 city/municipality and the grant total number of precincts nationwide.

19 (3) On the number of Ballots, Election Returns, Ballot Boxes and other
20 accountable forms.

21 (a) Number of printed ballots, election returns, and other accountable
22 forms;

23 (b) Number of ballots, election returns, ballot boxes, and all other
24 accountable forms actually used, spoiled and unused.

25 (4) On Candidates

26 (a) List of all candidates, party affiliation and their profession;

27 (b) Number of votes each candidate garnered by type of position.

1 (i) for President and Vice-president - the results by province and
2 city in all other regions except NCR where it is by city and municipality;

3 (ii) for Senators - the results by province;

4 (iii) for Congressmen - the results by district;

5 (iv) for Governor, Vice-Governor and Members of the Sangguniang
6 Panlalawigan - the results by province

7 (v) for Mayors, Vice-Mayors and Members of the Sangguniang
8 Pangbayan /Panglungsod - the result by city/municipality or
9 district.

10 (c) Amount and sources of campaign funds, if already available.

11 (5) On election protests, violence and other election violations and offenses list
12 and status of election protests filed with regards to the election(s) being reported;

13 (a) Number of election related incidents of violence, offenses, and
14 violations of the election law by provinces and cities for all regions except for
15 NCR where it will be by cities and municipalities.

16 (6) Other data which the Commission on Elections may deem important.

17 SECTION 4. *Date of Publication.* - The COMELEC shall submit the comprehensive
18 Report not more than one (1) year after the holding of a regular or special election.

19 SECTION 5. *Dissemination of and Accessibility to the Report.* - In addition to the
20 President and the Congress, the COMELEC shall provide copies of the Report to all public
21 libraries.

22 SECTION 6. *Separability Clause.* - If any provision of this Act or part thereof is held
23 invalid or unconstitutional, the remainder of the Act or the provision not otherwise affected shall
24 remain valid and subsisting.

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

4 SECTION 8. *Effectivly Clause.* - This Act shall take effect fifteen (15) days after its
5 publication in at least two (2) newspapers of general circulation.

Approved,