

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

'16 JAN 13 P3 34

SENATE
S. No. 3081

RECEIVED BY: *[Signature]*

Introduced by Senator Miriam Defensor Santiago

AN ACT
PROVIDING FOR A SPECIAL POLLING PLACE FOR PERSONS WITH
DISABILITY AND THE ELDERLY

EXPLANATORY NOTE

A "polling place" as defined in the Omnibus Election Code, Section 152, is the building or place where the Board of Election Inspectors conducts its proceedings and where the voters cast their votes. It also provides that "each polling place shall be, as far as practicable, a ground floor and shall be of sufficient size to admit and comfortably accommodate forty voters at one time..."

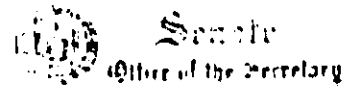
In line with this, the Magna Carta for Disabled Persons (Republic Act. No. 7277) Section 29 also provides that "polling places should be made accessible to disabled persons during national and local elections." However, despite these provisions, the accessibility of the polling place especially for those registered voters who have physical or sensory limitations, has been found to be wanting.

Thus, the proposed bill seeks to provide for a special polling place for persons with disability and the elderly.¹

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

¹ This bill was originally filed during the Thirteenth Congress, First Regular Session and refiled during the Fourteenth Congress, First Regular Session.

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



16 JAN 13 P3:34

SENATE
S. No. 3081

RECEIVED BY: MS

Introduced by Senator Miriam Defensor Santiago

AN ACT
PROVIDING FOR A SPECIAL POLLING PLACE FOR PERSONS WITH
DISABILITY AND THE ELDERLY

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Special Polling Act.”

2 SECTION 2. *Definition of Terms.* – As used in this Act, the term:

3 (A) “Barrier free environment” refers to an area where the special polling place
4 within a voting center is located, having such architectural or structural features which
5 reasonably enhance the mobility of persons with disability and the elderly such as
6 sidewalks, ramps, railing, and the like or is easily accessible to wheelchairs;

7 (B) “Elderly” refers to senior citizens who have physical limitations due to age or
8 sickness and at the same time possess the qualifications and none of the disqualifications
9 of a voter;

10 (C) “Persons with disability” refers to those persons with physical, physiological
11 or sensory impairment, or those persons suffering from restrictions of different abilities to
12 perform an activity in the manner or within the range considered normal to a human
13 being and at the same time, possess the qualifications and none of the disqualifications of
14 a voter;

1 (D) "Special polling place" refers to the place where the board of election
2 inspectors conducts election-related proceedings such as registration, voting and the like,
3 that is easily accessible to persons with disability and the elderly; and

4 (E) "Voting center" refers to the building or place where special polling takes
5 place.

6 SECTION 3. *Special Polling Places for Persons With Disability and the Elderly.* –

7 The Commission on Elections, in coordination with local government units, concerned
8 government agencies and other concerned groups and organizations shall conduct a study
9 on persons with disability and the elderly in a locality to get data on their number,
10 distribution, the extent of their limitations which may restrict their ability to participate in
11 election-related activities, and other relevant information. Afterwards, the COMELEC
12 shall provide for special polling places for persons with disability and the elderly;
13 Provided, That the number and location of the special polling places shall be determined
14 by the outcome of the study; provided further, that the designation of special polling
15 places shall not compromise nor alter the principle or territorial jurisdiction used in
16 election-related activities such that no special precincts shall be created for the purpose;
17 provided further, that as a safety measure, once the COMELEC determines who among
18 the persons with disability and the elderly require a special polling place, it shall make a
19 separate list containing the name, address, a brief description of the disability or physical
20 limitation, the precinct and the city or municipality where he/she belongs, and if already
21 available, the voter's identification number. The list shall be posted one month before any
22 election-related activity, in two conspicuous places in the city or municipal hall for one
23 week and shall be regularly updated. Those included in the list shall only be allowed to
24 use his/her designated special polling place, while others who are not in the list, shall not
25 be allowed to use the same; provided finally, that the special polling places shall be

1 located in a barrier free environment, easily accessible to persons with disability and the
2 elderly.

3 SECTION 4. *Information and Education Campaign.* – The commission shall
4 conduct an information and education campaign for the effective implementation of this
5 Act.

6 SECTION 5. *Rules and Regulations.* – The Commission on Elections shall issue
7 the necessary rules and regulations for the effective implementation of this Act.

8 SECTION 6. *Separability Clause.* – If any provision of this Act is held invalid or
9 unconstitutional, the same shall not affect the validity and effectivity of the other
10 provisions hereof.

11 SECTION 7. *Repealing Clause.* – All laws, decrees, orders, and issuances, or
12 portions thereof, which are inconsistent with the provisions of this Act, are hereby
13 repealed, amended or modified accordingly.

14 SECTION 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after
15 its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

/lml23Nov2015