SENATE OFFICE OF THE SECRETARY

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES
First Regular Session

*04 JUL -1 A11:00

SENATE S. B. No. 121C NECEIVED BY:

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

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

Although the Comelec has been complying with this provision after every regular elections, 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.

This bill is a product of several public hearings conducted last Congress.

MIRIAM DEFENSOR SANTIAGO

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

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

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

- SEC. 2. Declaration of Policy. It is the policy of the State to document significant political processes such as elections. In line with this, Commission on Elections is directed by the Constitution to prepare and submit a comprehensive report on the conduct of each election, plebiscite, initiative, referendum and recall to the President and to Congress.
- SEC. 3. Nature and Contents of the Comprehensive Report. A comprehensive COMELEC Report to the President and the Congress after every regular or special election shall contain, but not limited to, the following:

A. Narrative Assessment

- 1) A complete but concise explanation on the context of the election(s) conducted and the election calendar
- 2) Amendments to and salient features of the election code and other laws governing the conduct of the electoral exercise
 - 3) Cost of Administering the Particular Political Exercise
- a) the actual cost of the election to the national and local governments, if any
 - b) breakdown of expenditures by item
 - 4) Other information which the Commission on Elections deem important

B. Basic Electoral Data

- 1) On Voters
 - a) number of registered voters per city/municipality
 - b) number of voters who actually voted (voters' turnout) per city/municipality
 - c) number of the Voters' Registration Records (VRRs) used and cancelled

2) On Precincts

- a) number of precincts that functioned in the immediately preceding elections by city/municipality
- b) number of precincts newly created for the election under consideration by city/municipality
- c) total number of precincts for the election under review by city/municipality
- d) number of precincts that actually functioned or failed to function by city/municipality and the grand total number of precincts nationwide
- 3) On the Number of Ballots, Election Returns, Ballot Boxes and All Other Accountable Forms
 - a) number of printed ballots, election returns and other accountable forms
 - b) number of ballots, election returns, ballot boxes and all other accountable forms actually used, spoiled and unused

4) On Candidates

- a) list of all candidates, party affiliation and their profession
- b) number of votes each candidate garnered by type of position:
- b.1 for president and vice-president the results by province and city in all other regions except NCR where it is by city and municipality

- b.2 for senators the results by province
- b.3 for congressmen the results by district
- b.4 for governor, vice-governor and members of the Sangguniang Panlalawigan the results by province
- b.5 for mayors, vice-mayors and members of the Sangguniang Pangbayan/Panlungsod the results by city/municipality or district
- c) amount and sources of campaign funds, if already available
- 5) On election protests, violence and other election violations and offenses
 - a) list and status of election protests filed with regards to the election(s) being reported
 - b) number of election related incidents of violence, offenses and violations of the election law by provinces and cities for all regions except for NCR where it will be by cities and municipalities
- 6) Other data which the Commission on Elections may deem important
- SEC. 4. Date of Publication The COMELEC shall submit the comprehensive Report at exactly six months or at most, one (1) year after the holding of a regular or special election.
- SEC. 5. Dissemination of and Accessibility to the Report. In addition to the President and the Congress, the COMELEC shall provide copies of the Report to all public libraries.
- SEC. 6. Repealing Clause. Any law, presidential decree or issuance, executive order, letter of instruction, rule or regulation inconsistent with the provisions of this Act is hereby repealed or modified accordingly.
- SEC. 7. Separability Clause. If any portion or provision of this Act is declared unconstitutional., the remainder of this Act or any provisions not affected thereby shall remain in force and effect.

SEC. 8. Effectivity. - This Act shall take effect fifteen (15) days from the dates of its publication in at least two (2) newspapers of general circulation.

Approved.