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SENATE

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Senate Bill No. 1584

(In substitution of SB Nos. 1469 and 1552)

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Prepared Jointly by the Committee on Electoral Reforms and People's Participation and the Committee on Finance with Senators Vicente C. Sotto III and Richard J. Gordon as authors

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AN ACT  
POSTPONING THE OCTOBER 2017 BARANGAY AND SANGGUNIANG  
KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC  
ACT NO. 9164, AS AMENDED BY REPUBLIC ACT NO. 9340, REPUBLIC  
ACT NO. 10656, AND REPUBLIC ACT NO. 10923, AND FOR OTHER  
PURPOSES

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

1        **Section 1. Declaration of Policy.** - It is the prime duty of the State to serve  
2 and protect the people. In line with this duty, the State seeks to maintain peace and  
3 order, the protection of life, and the promotion of the general welfare. Given the  
4 events occurring, such as: the armed conflict in Marawi City, the proclamation and  
5 extension of Martial Law in Mindanao, and the prevalence of illegal drugs, it is  
6 hereby declared the policy of the State to postpone the October 2017 *barangay* and  
7 *sangguniang kabataan* elections to October 2018 to provide ample time for the  
8 government to maintain peace and order and protect the general welfare of the  
9 people.

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11        **Sec. 2.** Section 1 of Republic Act No. 9164, as amended by Republic Act  
12 No. 9340, Republic Act No. 10656, and Republic Act No. 10923, is hereby further  
13 amended to read as follows:  
14

1           **"SECTION 1. Date of Election.** - There shall be synchronized  
2 *barangay* and *sangguniang kabataan* elections, which shall be held on July  
3 15, 2002. Subsequent synchronized *barangay* and *sangguniang kabataan*  
4 elections shall be held on the last Monday of October 2007 and every three  
5 (3) years thereafter: *Provided*, That the *barangay* and *sangguniang kabataan*  
6 elections on [October 31, 2016 shall be postponed to] the fourth Monday of  
7 October 2017 **SHALL BE POSTPONED TO THE FOURTH MONDAY**  
8 **OF OCTOBER 2018.** Subsequent synchronized *barangay* and *sangguniang*  
9 *kabataan* elections shall be held on the second Monday of May 2020 and  
10 every three (3) years thereafter.”

11  
12           **Sec. 3. Hold Over.** - Until their successors shall have been duly elected and  
13 qualified, or until the President, through the Executive Secretary, shall appoint  
14 officers-in-charge for the *barangay*, all incumbent *barangay* officials shall remain  
15 in office, unless sooner removed or suspended for cause: *Provided*, that in addition  
16 to the other causes under existing laws, inclusion of the name of an incumbent  
17 *barangay* official in the duly confirmed and validated Drug List provided to and in  
18 possession of the President shall constitute sufficient cause for the appointment of  
19 *officers-in-charge* for the *barangay*; and *Provided*, finally, that *barangay* officials  
20 who are *ex officio* members of the *sangguniang bayan*, *sangguniang panlungsod*,  
21 or *sangguniang panlalawigan*, as the case may be shall continue to serve as such  
22 members in the *sanggunian* concerned until the next *barangay* election. *The Liga*  
23 *ng mga Barangay* at the municipal, city, and provincial levels shall, within thirty  
24 (30) days after the next *barangay* election, conduct elections for *ex officio* positions  
25 in the *sanggunians* under the supervision of the Department of the Interior and  
26 Local Government.

27  
28           **Sec. 4. Ban of Government Projects.** - The construction or maintenance of  
29 *barangay*-funded roads and bridges shall be prohibited for a period of ten (10) days  
30 immediately preceding the date of election, the provisions of Section 261,  
31 paragraphs (v) and (w), of the Omnibus Election Code to the contrary  
32 notwithstanding.

33  
34           **Sec. 5. Prohibition on Appointments of Government Officials.** - The  
35 appointment or hiring of new employees, creation of new position, promotion, or  
36 giving of salary increases, remuneration or privileges in the *barangay* shall be  
37 prohibited for a period of ten (10) days immediately preceding the election, the  
38 provisions of Section 261, paragraph (g), of the Omnibus Election Code to the  
39 contrary notwithstanding.

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41           **Sec. 6. Use of Appropriations.** - The following appropriations for the  
42 Commission on Elections (COMELEC) shall be considered as continuing

1 appropriations and shall be used exclusively for the conduct of the *barangay* and  
2 *sangguniang kabataan* registration and elections:

3  
4 (a) The amount of Nine hundred thirty-six million one hundred twenty-  
5 nine thousand pesos (P936,129,000) appropriated for the *sangguniang*  
6 *kabataan* elections and One hundred fifty-five million one hundred  
7 sixty-seven thousand pesos (P155,167,000) appropriated for the  
8 *sangguniang kabataan* registration under Republic Act No. 10651,  
9 otherwise known as "The 2015 General Appropriations Act"; and

10  
11 (b) The amount of Five billion nine hundred ninety-four million two  
12 hundred forty-three thousand pesos (P5,994,243,000) for the  
13 *sangguniang kabataan* and *barangay* elections and Five hundred six  
14 million two hundred seventy-four thousand pesos (P506,274,000)  
15 appropriated for the *sangguniang kabataan* and *barangay* elections  
16 under Republic Act No. 10717, otherwise known as "The 2016  
17 General Appropriations Act".  
18

19 **Sec. 7. Use of Sangguniang Kabataan Fund.** - Until the new *sangguniang*  
20 *kabataan* officials shall have been duly elected and qualified, the *sangguniang*  
21 *barangay* shall not use the *sangguniang kabataan* fund except for youth  
22 development and empowerment programs as provided in Republic Act No. 10742,  
23 otherwise known as "The Sangguniang Kabataan Reform Act of 2015".  
24

25 **Sec. 8. Implementing Rules and Regulations.** - The COMELEC shall,  
26 within thirty (30) days after the effectivity of this Act, promulgate such rules and  
27 regulations necessary to implement this Act.  
28

29 **Sec. 9. Repealing Clause.** - All other laws, acts, presidential decrees,  
30 executive orders, issuances, presidential proclamations, rules and regulations or  
31 parts thereof, which are contrary to and inconsistent with any provision of this Act  
32 are hereby repealed, amended, or modified accordingly.  
33

34 **Sec. 10. Separability Clause.** - If any portion or provision of this Act is  
35 declared unconstitutional, the remainder of this Act or any provision not affected  
36 thereby shall remain in force and effect.  
37

38 **Sec. 11. Effectivity.** - This Act shall take effect fifteen (15) days following  
39 the completion of its publication either in the *Official Gazette* or in a newspaper of  
40 general circulation in the Philippines.  
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42 *Approved*