


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

5 FEB 16 P4:11

SENATE

RECEIVED BY: 

S.B. No. 1920

Introduced by Senator JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

Since its enactment, Batas Pambansa Blg. 881, otherwise known as the Omnibus Election Code of the Philippines, has undergone several amendments and revisions.

Despite the best efforts by previous Congresses to keep this law at pace with modern electoral practices, there are still a number of provisions that need to be modified accordingly so as to make the fundamental election law of the land to respond to the radical challenges and demands of modern times.

This proposed measure specifically seeks to amend Section 10 of said statute, along with the inclusion of several subparagraphs in order to methodically specify and identify concerned agencies responsible in providing the funding required for the conduct of various electoral exercises in our country.

With the passage of this proposed bill, it is expected that the processing and releasing of the necessary funds incidental to defraying the cost of elections be easily facilitated, thereby, ensuring the conduct of a speedy and efficient electoral exercise. In view of this, immediate passage of this proposed legislation, is thus, earnestly sought.


JINGGOY EJERCITO ESTRADA
Senator

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6 S E N A T E

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8 S.B. No. 1920
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12 Introduced by Senator JINGGOY EJERCITO ESTRADA
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16 AN ACT
17 AMENDING SECTION 10 OF BATAS PAMBANSA BLG. 881, OTHERWISE
18 KNOWN AS THE OMNIBUS ELECTION CODE OF THE PHILIPPINES, AS
19 AMENDED, AND FOR OTHER PURPOSES
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22 *Be it enacted by the Senate and House of Representatives of the Philippines in Congress*
23 *assembled:*
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25 SECTION 1. Section 10 of Batas Pambansa Blg. 881, otherwise known as
26 the Omnibus Election Code of the Philippines, as amended, is hereby amended
27 to read as follows:

28 "SEC. 10. *Election Expenses.* - (A) [Except in *barangay*
29 *elections*] such expenses as may be necessary and reasonable in
30 connection with the HOLDING OF elections, referenda, plebiscites,
31 RECALL and other similar ELECTORAL exercises shall be paid by
32 the Commission, EXCEPT WHEN OTHERWISE PROVIDED

33 UNDER THIS ACT. The Commission may direct that in the CASE
34 OF provinces, cities or municipalities, the election expenses
35 chargeable to the Commission be advanced by the province, city or
36 municipality concerned subject to reimbursement by the
37 Commission upon presentation of the proper bill.

38 (B) ALL BALLOT BOXES, ELECTION FORMS, SUPPLIES
39 AND PARAPHERNALIA SHALL BE PROVIDED BY THE
40 COMMISSION AND DISTRIBUTED TO THE PROVINCIAL AND
41 CITY TREASURER AT THE EXPENSE OF THE COMMISSION.

42 THE PROVINCIAL TREASURER SHALL, AT THE
43 EXPENSE OF THE PROVINCE, PROVIDE THE NECESSARY
44 FACILITIES FOR THEIR DELIVERY TO THE MUNICIPALITIES
45 WITHIN THE PROVINCE. THE CITY AND MUNICIPAL
46 TREASURERS SHALL, AT THE EXPENSE OF THE CITY OR
47 MUNICIPALITY, PROVIDE THE NECESSARY TRANSPORT
48 FACILITIES FOR THE BOARDS OF ELECTION INSPECTORS
49 AND THEIR BALLOT BOXES, ELECTION FORMS, SUPPLIES
50 AND PARAPHERNALIA TO AND FROM THEIR ASSIGNED
51 POLLING PLACES.

52 (C) LIGHTING FACILITIES IN THE POLLING PLACES
53 AND IN PLACES WHERE THE COUNTING OF VOTES OR THE
54 CANVASSING OF ELECTION RETURNS ARE CONDUCTED

55 SHALL BE PROVIDED BY THE MUNICIPALITY, CITY OR
56 PROVINCE CONCERNED AT ITS EXPENSE.

57 (D) OVERTIME SERVICES RENDERED IN CONNECTION
58 WITH THE ELECTIONS SHALL BE PAID BY THE RESPECTIVE
59 GOVERNMENT AGENCIES AT THE SAME RATE AUTHORIZED
60 FOR PERSONNEL OF THE COMMISSION.

61 (E) POLL REQUIREMENTS OF THE MILITARY AND
62 POLICE CONTINGENTS ASSIGNED TO ELECTION DUTIES
63 SHALL BE PROVIDED BY THE ARMED FORCES OF THE
64 PHILIPPINES AND THE PHILIPPINE NATIONAL POLICE,
65 RESPECTIVELY.

66 (F) GOVERNMENT AGENCIES CONCERNED SHALL
67 INCLUDE IN THEIR ANNUAL OR SPECIAL APPROPRIATIONS
68 THE AMOUNT NECESSARY TO COVER THEIR RESPECTIVE
69 EXPENSES FOR THE NEXT SUCCEEDING ELECTION.

70 (G) IN CASE A MUNICIPALITY CANNOT AFFORD TO
71 PROVIDE AT ITS EXPENSE THE FACILITIES MENTIONED
72 ABOVE, THE EXPENSES RELATIVE THERETO SHALL BE
73 ADVANCED BY THE PROVINCE AND SAID MUNICIPALITY
74 SHALL REIMBURSE THE SAME UPON PRESENTATION OF THE
75 PROPER BILL AND AS SOON AS IT IS FINANCIALLY IN A
76 POSITION TO DO SO.

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(H) ANY CLAIM FOR ANY EXPENDITURE INCURRED IN CONNECTION WITH THE ELECTION AND PAYABLE BY THE COMMISSION WITHIN SIX (6) MONTHS AFTER THE LAPSE OF SAID PERIOD, SAID CLAIM SHALL BE DEEMED TO HAVE BEEN WAIVED AND ANY ACTION FOR THE COLLECTION THEREOF SHALL BE DEEMED TO HAVE PRESCRIBED.

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(I) Funds needed by the Commission [to defray the expenses] for the holding of [regular and special] elections, referenda, plebiscites, RECALL AND OTHER SIMILAR ELECTORAL EXERCISES shall be provided in the regular appropriations of the Commission which, upon request, shall immediately be released to the Commission. In case of deficiency, the amount so provided shall be augmented from the [special activities] CONTINGENT fund[s] in the General Appropriations Act and from those specifically appropriated for the purpose in special laws."

SEC. 2. Repealing Clause. - All laws, presidential decrees, issuances, orders, rules and regulations or any part thereof inconsistent herewith are hereby amended, repealed or modified accordingly.

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100 *SEC. 3. Effectivity Clause.* - This Act shall take effect after fifteen
101 (15) days following the completion of its publication in the *Official Gazette*
102 or in at least two (2) newspapers of general circulation.

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105 Approved,

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