

**SENATE**

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**S.B. No. 2908**

(In substitution of S.B. Nos. 777, 1056, 1160, 1501, 1642, 1675, 2139, 2239, 2361, 2362, and 2482, taking into consideration H.B. No. 7576)

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Prepared by the Committees on Electoral Reforms and People's Participation; Social Justice, Welfare and Rural Development; and Finance, with Senators Gatchalian, Marcos, Revilla, Jr., Estrada, Villar (M.), Villanueva, Villar (C.), Lapid, Ejercito, and Go as authors thereof

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**AN ACT**  
**PROVIDING ALTERNATIVE MODES OF VOTING FOR PERSONS IN VULNERABLE SITUATIONS TO EXERCISE THEIR RIGHT OF SUFFRAGE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10366, PROVIDING FUNDS THEREFOR, 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.* – The State shall ensure that senior citizens,  
2 persons with disabilities (PWDs), pregnant women, indigenous peoples (IPs),  
3 internally displaced persons (IDPs), persons deprived of liberty (PDLs), and in special  
4 circumstances, health workers, quarantined and hospitalized persons, repatriated  
5 overseas voters, migrant workers, and Overseas Filipino Workers (OFWs) in distress,  
6 are able to exercise their right to political participation without restrictions. The State  
7 shall devise systems and procedures that will enhance accessibility in their voting  
8 process.

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

10       (a) "Commission" refers to the Commission on Elections;

1           (b)    “Senior citizens” refer to qualified voters who are sixty (60) years or  
2 older;

3           (c)    “Persons with disabilities” refer to qualified voters who have long term  
4 physical, mental, intellectual, or sensory impairments, which, in interacting with  
5 various barriers, may hinder their full and effective participation in society on an equal  
6 basis with others;

7           (d)    “Pregnant women” refer to qualified voters who are pregnant during  
8 election day regardless of the trimester of pregnancy. For purposes of local absentee  
9 voting, the term shall refer to qualified voters who are pregnant at the time of  
10 registration for absentee voting and are expected to remain pregnant during the  
11 period of absentee voting;

12           (e)    “Indigenous peoples” refer to qualified voters who belong to a group of  
13 people or a homogenous society identified by self-ascription and ascription by others,  
14 who have continuously lived as an organized community on communally bounded and  
15 defined territory, and who have, under claims of ownership since time immemorial,  
16 occupied, possessed, and utilized such territories, sharing common bonds of language,  
17 customs, traditions, and other distinctive cultural traits, or who have, through  
18 resistance to political, social, and cultural inroads of colonization, non-indigenous  
19 religions and cultures, became historically differentiated from the majority of Filipinos.  
20 IPs shall likewise include people who are regarded as indigenous on account of their  
21 descent from the populations which inhabited the country, at the time of conquest or  
22 colonization, or at the time of inroads of non-indigenous religions and cultures, or the  
23 establishment of present state boundaries, who retain some or all of their own social,  
24 economic, cultural, and political institutions, but who may have been displaced from  
25 their traditional domains or who may have been resettled outside their ancestral  
26 domains;

27           (f)    “Internally displaced person” refers to a qualified voter who has been  
28 forced or obliged to flee or leave one’s home or place of habitual residence within the  
29 national borders as a result of, or in order to avoid or minimize, the effects of armed  
30 conflict, situations of generalized and/or organized violence, violations of human  
31 rights, implementation of development projects, or natural and human-induced or  
32 human-made hazards or disasters;

1 (g) "Person deprived of liberty" refers to a qualified voter, who is a detainee,  
2 inmate, prisoner, or person under confinement or custody in any other manner;

3 (h) "Health workers" shall mean qualified voters who are engaged in health-  
4 related work, and all persons employed in all hospitals, sanitarium, health infirmaries,  
5 health centers, rural health units, barangay health stations, clinics, and other health-  
6 related establishments owned and operated by the government or its political  
7 subdivisions with original charters and shall include medical, allied health professional,  
8 administrative and support personnel, regardless of their employment status;

9 (i) "Quarantined and hospitalized persons" shall refer to qualified voters  
10 who are quarantined or are receiving medical treatment in quarantine facilities and  
11 hospitals accredited by the Commission due to an existing public health emergency;  
12 and

13 (j) "Repatriated overseas voter" refers to a citizen of the Philippines  
14 registered and allowed to vote under Republic Act No. 9189, as amended, but was  
15 repatriated due to special circumstances such as armed conflict, issues in international  
16 relations, state of emergency or calamity, or any other analogous circumstance  
17 beyond the control or fault of the voter.

18 SEC. 3. *Local Absentee Voting.* – The Commission shall extend the right to vote  
19 under the Local Absentee Voting System to senior citizens, PWDs, pregnant women,  
20 and IDPs qualified to vote, as provided in existing laws and executive orders. They  
21 may cast their ballot at accessible establishments designated by the Commission, for  
22 a period of not less than two (2) days within seven (7) calendar days before the  
23 election.

24 In the event of a public health emergency, health workers on official duty and  
25 quarantined and hospitalized persons qualified to vote may avail of the right to Local  
26 Absentee Voting.

27 A repatriated overseas voter may avail of the right to Local Absentee Voting  
28 only if such voter's repatriation was due to special circumstances such as armed  
29 conflict, issues in international relations, state of emergency or calamity, or any other  
30 analogous circumstances beyond the control or fault of the voter.

1 The Commission shall designate accessible polling places, defined under  
2 Section 2(j) of Republic Act No. 10366, as amended, for senior citizens, PWDs, and  
3 pregnant women.

4 There shall be nationwide registration of senior citizens, PWDs, pregnant  
5 women, IDPs, and in special circumstances, health workers, quarantined and  
6 hospitalized persons, and repatriated overseas voters, who wish to avail of the Local  
7 Absentee Voting. Those who are not registered under the Local Absentee Voting  
8 system shall be allowed to vote on election day.

9 SEC. 4. *Emergency Accessible Polling Places (EAPP)*. – During election day, the  
10 Commission shall designate rooms or makeshift or temporary polling places at  
11 residences for senior citizens; jails, prison facilities or detention centers; quarantine  
12 and hospital facilities; areas with a substantial number of IDPs; remote areas; and in  
13 such other places as may be necessary to ensure an efficient and expeditious voting  
14 process for senior citizens, PWDs, pregnant women, IDPs, PDLs, IPs, and in special  
15 circumstances, health care workers on duty and qualified repatriated overseas voters.

16 The Commission shall ensure that, as far as practicable and necessary, and the  
17 EAPPs shall have the same features and offer the same assistive services found in  
18 Accessible Polling Places, defined under Section 2(j) of Republic Act No. 10366, as  
19 amended, and that the voting procedure in the EAPPs, including the facilities and  
20 materials, is adequate, appropriate, accessible, easy to understand and use, and that  
21 reasonable accommodation shall be granted to the persons named in the preceding  
22 paragraph to ensure the full exercise of their right of suffrage.

23 SEC. 5. Section 2(j) of Republic Act No. 10366 is hereby amended to read as  
24 follows:

25 "SEC. 2. *Definition of Terms*. – xxx

26 (a) xxx.

27 xxx.

28 (j) *Accessible polling place* refers to the venue where the  
29 ~~[Board of Election Inspectors (BEIs)]~~ **ELECTORAL BOARD** conducts  
30 election-related proceedings and where the voters cast their votes.  
31 The accessible polling place shall be located at the ground floor,  
32 preferably near the entrance of the building, ~~[and is]~~ **READILY**

1       **ACCESSIBLE TO PUBLIC TRANSPORTATION**, free of any physical  
2       barriers and provided with [~~necessary services, including assistive~~  
3       ~~devices~~]       **NECESSARY INFRASTRUCTURE INCLUDING**  
4       **ASSISTIVE DEVICES, TRANSPORT WHEELCHAIRS, RAMPS,**  
5       **RAILINGS, SIDEWALKS, ADEQUATE LIGHTING,**  
6       **VENTILATION, SUFFICIENT SIGNAGE AND DIRECTIONAL**  
7       **SIGNS, LISTS OF CANDIDATES TRANSCRIBED IN BRAILLE,**  
8       **AND OTHER FEATURES FOR PWDS, PREGNANT WOMEN, AND**  
9       **SENIOR CITIZENS, AS WELL AS SUPPORT SERVICES OF**  
10       **EXPERTS IN ASSISTING PERSONS WITH DISABILITIES SUCH**  
11       **AS SIGN LANGUAGE INTERPRETERS. ACCESSIBLE POLLING**  
12       **PLACES SHALL BE LOCATED IN PUBLIC SCHOOLS, TOWN**  
13       **HALLS OR PLAZAS, CIVIC CENTERS, COMMUNITY CENTERS,**  
14       **OR OTHER SIMILARLY DESIGNATED VENUES. IN**  
15       **DESIGNATING THE ACCESSIBLE POLLING PLACES, THE**  
16       **COMMISSION SHALL GIVE PREFERENCE TO VENUES**  
17       **DESIGNED WITH SPECIAL FEATURES TO ENSURE THE SAFETY**  
18       **AND COMFORT OF SENIOR CITIZENS, PREGNANT WOMEN,**  
19       **AND PERSONS WITH DISABILITIES."**

20       SEC. 6. Section 9 of Republic Act No. 10366 is hereby deleted and a new  
21       Section 9 shall be inserted to read as follows:

22               **"SEC. 9. DESIGNATION OF ACCESSIBLE POLLING**  
23       **PLACES FOR SENIOR CITIZENS, PWDS, AND PREGNANT**  
24       **WOMEN. -THE COMMISSION SHALL DESIGNATE AND**  
25       **ESTABLISH ACCESSIBLE POLLING PLACES IN EVERY VOTING**  
26       **CENTER FOR THE EXCLUSIVE USE OF PWDS, SENIOR**  
27       **CITIZENS, AND PREGNANT WOMEN IN SUCH NUMBER AS**  
28       **MAY BE SUFFICIENT TO ENSURE AN EXPEDIENT, SAFE, AND**  
29       **COMFORTABLE VOTING PROCESS. NO PRIOR**  
30       **MANIFESTATION SHALL BE REQUIRED FOR THE PERSONS**  
31       **MENTIONED HEREIN TO AVAIL OF THE RIGHT TO VOTE IN**  
32       **ACCESSIBLE POLLING PLACES."**

1           SEC. 7. *Provision for Transportation/Shuttle Service.* – The Commission shall  
2 provide a system of transportation/shuttle services for the senior citizens, PWDs,  
3 pregnant women, IPs, and IDPs during the period of Local Absentee Voting under this  
4 Act and during election day to ensure that these sectors have means of transportation  
5 to and from the polling places.

6           SEC. 8. *Establishment of a Vulnerable Sectors Office (VSO) Under the*  
7 *Commission.* – The Commission is hereby authorized to establish a VSO tasked  
8 specifically to oversee and supervise the effective implementation of this Act:  
9 *Provided,* That its Secretariat shall come from the existing Secretariat personnel of  
10 the Commission.

11           SEC. 9. *Implementing Rules and Regulations.* – Within ninety (90) days from  
12 the effectivity of this Act, the Commission shall, in consultation with other relevant  
13 government agencies, non-governmental organizations, and civil society  
14 organizations, promulgate the rules and regulations necessary to implement this Act.

15           SEC. 10. *Appropriation.* – The initial amount for the implementation of this Act  
16 shall be charged against the available appropriations of the Commission. Thereafter,  
17 the amount necessary for its continuous implementation shall be included in the  
18 annual General Appropriations Act.

19           SEC. 11. *Separability Clause.* – If any provision of this Act is declared invalid or  
20 unconstitutional, the remaining parts or provisions hereof not affected thereby shall  
21 remain in full force and effect.

22           SEC. 12. *Repealing Clause.* – All other laws, acts, presidential decrees,  
23 executive orders, issuances, presidential proclamations, rules and regulations or parts  
24 thereof, which are contrary to and inconsistent with any provision of this Act, are  
25 hereby repealed, amended, or modified accordingly.

26           SEC. 13. *Effectivity.* – This Act shall take effect immediately following the  
27 completion of its publication in the *Official Gazette* or in a newspaper of general  
28 circulation.

*Approved,*