

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

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SENATE

S. No. 935

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

This proposed measure seeks for the creation of special polling places for the elderly and the disabled. This is in recognition of the fact that many of our disabled brothers and sisters are not able to cast their votes during elections because of the difficulties they experience in going through the polling places.

Under this bill, the Commission on Elections (COMELEC), in coordination with local government agencies and other concerned groups or organizations is hereby mandated to conduct a study on the disabled and the elderly in a locality to get data on their number distribution, the extent of their limitations which may restrict their ability to participate in election related activities, and other relevant information. Thereafter, the COMELEC is mandated to provide for special polling places for the disabled and the elderly. The number and location of the special polling places shall be determined by the outcome of the study and that the designation of special polling places shall not compromise nor alter the principle of territorial jurisdiction used in election-related activities such that no special precincts shall be created for the purpose.

Under this proposal, once the COMELEC determines who among the disabled and the elderly require a special polling place, it shall make a separate list containing the name, address, a brief description of the disability or physical limitation, the precinct and the city or municipality where disabled and the elderly. The list shall be posted one (1) month before any election-related activity, in two (2) conspicuous places in the city or municipal hall for one (1) week and shall be regularly updated.

Finally, this measure provides that these special polling places shall be located in a barrier free environment, easily accessible to the disabled and the elderly.

In view of the foregoing, the passage of this measure is earnestly sought.


MANUEL "LITO" M. LAPID
Senator

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OFFICE OF THE CLERK

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SENATE

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**AN ACT
PROVIDING FOR A SPECIAL POLLING PLACE FOR THE DISABLED
AND THE ELDERLY AND FOR OTHER PURPOSES**

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

SECTION 1. Short Title. - This Act may be cited as the "**Special Polling
Place Act of 2010.**"

SEC. 2. Definition of Terms. - As used in this Act, the following shall
mean:

- (1) A "**SPECIAL POLLING PLACE**" REFERS TO THE PLACE WHERE THE BOARD OF ELECTION INSPECTORS CONDUCTS ELECTION RELATED PROCEEDINGS SUCH AS REGISTRATION, VOTING AND THE LIKE, THAT IS EASILY ACCESSIBLE TO THE DISABLED AND THE ELDERLY;
- (2) A "**BARRIER FREE ENVIRONMENT**" REFERS TO AN AREA WHERE THE SPECIAL POLLING PLACE WITHIN A VOTING CENTER IS LOCATED, HAVING SUCH ARCHITECTURAL OR STRUCTURAL FEATURES WHICH REASONABLY ENHANCE THE MOBILITY OF THE DISABLED AND THE ELDERLY SUCH AS SIDEWALKS, RAMPS, RAILINGS, AND THE LIKE OR IS EASILY ACCESSIBLE TO WHEELCHAIRS;
- (3) "**VOTING CENTER**" REFERS TO THE BUILDING OR PLACE WHERE A SPECIAL POLLING PLACE COULD BE LOCATED;

- (4) **“DISABLED”** REFERS TO THOSE PERSONS WITH PHYSICAL, PSYCHOLOGICAL OR SENSORY IMPAIRMENT, OR THOSE PERSONS SUFFERING FROM RESTRICTIONS OF DIFFERENT ABILITIES TO PERFORM AN ACTIVITY IN THE MANNER OR WITHIN THE RANGE CONSIDERED NORMAL TO A HUMAN BEING AND AT THE SAME TIME POSSESS THE QUALIFICATIONS AND NONE OF THE DISQUALIFICATIONS OF A VOTER; AND
- (5) **“ELDERLY”** REFERS TO SENIOR CITIZENS WHO HAVE PHYSICAL LIMITATIONS DUE TO AGE OR SICKNESS AND AT THE SAME TIME, POSSESS THE QUALIFICATIONS AND NONE OF THE DISQUALIFICATIONS OF A VOTER.

SEC. 3. *Special [Registration and] Polling Places FOR THE DISABLED AND THE ELDERLY.* - The Commission on Elections, IN COORDINATION WITH LOCAL GOVERNMENT AGENCIES AND OTHER CONCERNED GROUPS OR ORGANIZATIONS SHALL CONDUCT A STUDY ON THE DISABLED AND THE ELDERLY IN A LOCALITY TO GET DATA ON THEIR NUMBER DISTRIBUTION, THE EXTENT OF THEIR LIMITATIONS WHICH MAY RESTRICT THEIR ABILITY TO PARTICIPATE IN ELECTION RELATED ACTIVITIES, AND OTHER RELEVANT INFORMATION. AFTERWARDS, THE COMELEC SHALL, provide for [a] special [registration] polling places for the disabled and THE ELDERLY [senior citizens which are easily accessible to them.]: **PROVIDED**, THAT THE NUMBER AND LOCATION OF THE SPECIAL POLLING PLACES SHALL BE DETERMINED BY THE OUTCOME OF THE STUDY; **PROVIDED FURTHER**, THAT THE DESIGNATION OF SPECIAL POLLING PLACES SHALL NOT COMPROMISE NOR ALTER THE PRINCIPLE OF TERRITORIAL JURISDICTION USED IN ELECTION-RELATED ACTIVITIES SUCH THAT NO SPECIAL PRECINCTS SHALL BE CREATED FOR THE PURPOSE; **PROVIDED FURTHER**, THAT AS A SAFETY MEASURE, ONCE THE COMELEC DETERMINES WHO AMONG THE DISABLED AND THE ELDERLY REQUIRE A SPECIAL POLLING PLACE OT SHALL MAKE A SEPARATE LIST CONTAINING THE NAME, ADDRESS, A BRIEF DESCRIPTION OF THE DISABILITY OR PHYSICAL LIMITATION, THE PRECINCT AND THE CITY OR MUNICIPALITY WHERE HE/SHE BELONGS, AND IF ALREADY AVAILABLE THE VOTER'S IDENTIFICATION NUMBER. THE LIST SHALL BE POSTED ONE (1) MONTH

BEFORE ANY ELECTION-RELATED ACTIVITY, IN TWO (2) CONSPICUOUS PLACES IN THE CITY OR MUNICIPAL HALL FOR ONE (1) WEEK AND SHALL BE REGULARLY UPDATED. THOSE INCLUDED IN THE LIST SHALL ONLY BE ALLOWED TO USE HIS/HER DESIGNATED SPECIAL POLLING PLACE, WHILE OTHERS WHO ARE NOT IN THE LIST SHALL NOT BE ALLOWED TO USE THE SAME; *PROVIDED FINALLY*, THAT THE SPECIAL POLLING PLACES SHALL BE LOCATED IN A BARRIER FREE ENVIRONMENT, EASILY ACCESSIBLE TO THE DISABLED AND THE ELDERLY.

SEC. 4. *Information, Education and Communication (IEC) Campaign.* - The COMELEC, in coordination with the Philippine Information Agency (PIA), shall conduct an information, education and communication (IEC) campaign for the effective implementation of this Act.

SEC. 5. *Implementing Rules and Regulations (IRR).* - Within six (6) months from the date of effectivity of this Act, the Commission on Election shall issue the necessary rules and regulations for the effective implementation of this measure.

SEC. 6. *Separability Clause.* - If any provision or part hereof is held invalid or unconstitutional, the remainder of the Act or the provision not otherwise affected shall remain valid and subsisting.

SEC. 7. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SEC. 8. *Effectivity Clause.* - This Act shall take effect immediately after its approval.

Approved,