

FOURTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Second Regular Session )

OFFICE OF THE CLERK  
5 DEC 16 7/23

SENATE  
S. No. 2972 RECEIVED BY 14

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Introduced by **Senator Richard J. Gordon**

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**EXPLANATORY NOTE**

In the Philippines, elections have traditionally been set on a single day, patterned after the provisions of the Constitution on election of the President and the Vice-President, and legislators. These provisions state that "unless otherwise provided by law, the regular election of the President and Vice-president, and Senators and members of the House of Representatives, shall be held on the second Monday of May." (Art. VI, Sec. 8, Art. VII, Sec. 4, 1987 Constitution)

This bill proposes to expressly allow for the practice of early voting in polls, by which voters can cast their vote on a single or series of days prior to an election, through an amendment to the Batas Pambansa Blg. 881, or the Omnibus Election Code. The goal of early voting is principally to increase participation and relieve congestion of polling stations on Election Day. Expanding voting to more than one day can reduce the risk of overworked poll workers making mistakes, and in the scenario of automated elections, the risk of having broken automated election machines.

In other jurisdictions where early voting is allowed, such as in the 46 states in the United States of America, and in Canada, Germany, Australia, New Zealand and Switzerland, early voting may be done by person, usually in designated early voting polling stations, as well as remotely, *i.e.* by mail.

With early voting, voters who may not be able to vote on a single Election Day are allowed to participate. Beneficiaries of early voting statutes include people who will be out of the polling area during the election period, poll workers, campaign workers, the elderly, and people with medical procedures scheduled for that time, among others.

For these considerations, the passage of this bill is earnestly sought.

  
**RICHARD J. GORDON**  
Senator

FOURTEENTH CONGRESS OF THE )  
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8 DEC 16 2013

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**AN ACT  
ALLOWING EARLY VOTING IN NATIONAL ELECTIONS, AMENDING FOR THIS  
PURPOSE BATAS PAMBANSA BLG. 881, OTHERWISE KNOWN AS THE  
OMNIBUS ELECTION CODE OF THE PHILIPPINES**

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

1       **SECTION 1.** A new Section 4-A of Batas Pambansa Blg. 881, otherwise known as  
2 the Omnibus Election Code of the Philippines, as amended, is hereby inserted as follows:

3               “Sec. 4. Obligation to register and vote. - It shall be the obligation of every  
4 citizen qualified to vote to register and cast his vote.

5       **SEC. 4-A. EARLY VOTING.** - A CITIZEN WHO IS QUALIFIED TO VOTE  
6 MAY CAST HIS VOTE EARLIER THAN THE DATE OF THE ELECTION.  
7 THE EARLY VOTING PERIOD SHALL BEGIN ON THE 10<sup>TH</sup> DAY  
8 BEFORE AN ELECTION AND SHALL END ON THE 3<sup>RD</sup> DAY BEFORE  
9 THE DATE OF THE ELECTION. THE COMMISSION SHALL DESIGNATE  
10 AN EARLY VOTING PRECINCT FOR EACH MUNICIPALITY THIRTY (30)  
11 DAYS BEFORE THE DATE OF THE ELECTION.

12               THE COMMISSION SHALL ISSUE THE NECESSARY RULES AND  
13 GUIDELINES TO IMPLEMENT THIS SECTION, IN CONSONANCE WITH  
14 SECTIONS 190-A AND 206-A OF THIS ACT.”

15       **SEC. 2.** A new Section 190-A of the same law is hereby inserted as follows:

16               “Sec. 190. Voting hours. - The casting of votes shall start at eight o'clock in  
17 the morning and shall end at three o'clock in the afternoon, except when

1 there are voters present within thirty meters in front of the polling place  
2 who have not yet cast their votes, in which case the voting shall continue  
3 but only to allow said voters to cast their votes without interruption. The poll  
4 clerk shall, without delay, prepare a complete list containing the names of  
5 said voters consecutively numbered, and the voters so listed shall be  
6 called to vote by announcing each name repeatedly three times in the  
7 order in which they are listed. Any voter in the list who is not present when  
8 his name is called out shall not be permitted to vote.

9 **SEC. 190-A.** EARLY VOTING HOURS. – THE CASTING OF VOTES  
10 SHALL START AT SEVEN O’CLOCK IN THE MORNING AND SHALL END  
11 AT SEVEN O’CLOCK IN THE EVENING. THE PROCEDURE FOR THE  
12 CASTING OF VOTES UNDER THE PRECEDING SECTION AND THE  
13 FOLLOWING SECTIONS SHALL BE FOLLOWED.”

14 **SEC. 3.** A new Section 206-A of the same law is hereby inserted as follows:

15 “Sec. 206. Counting to be public and without interruption. - As soon as the  
16 voting is finished, the board of election inspectors shall publicly count in  
17 the polling place the votes cast and ascertain the results. The board of  
18 election inspectors shall not adjourn or postpone or delay the count until it  
19 has been fully completed, unless otherwise ordered by the Commission.

20 The Commission, in the interest of free, orderly, and honest elections, may  
21 order the board of election inspectors to count the votes and to accomplish  
22 the election returns and other forms prescribed under this Code in any  
23 other place within a public building in the same municipality or city:  
24 Provided, That the said public building shall not be located within the  
25 perimeter of or inside a military or police camp or reservation nor inside a  
26 prison compound.

27 **SEC. 206-A.** COUNTING OF VOTES CAST DURING THE EARLY  
28 VOTING PERIOD. – VOTES CAST DURING THE EARLY VOTING  
29 PERIOD SHALL BE COUNTED ONLY ON ELECTION DAY. THE  
30 PROCEDURE FOR THE COUNTING OF VOTES IN THE PRECEDING  
31 SECTION AND THE FOLLOWING SECTIONS SHALL BE FOLLOWED.”

1           **SEC. 4.** All laws, decrees, orders, rules and regulations and other issuances or parts  
2 thereof which are inconsistent with the provisions of this Act are hereby repealed or  
3 modified accordingly

4           **SEC. 5.** In the event that any provision of this Act is declared unconstitutional, the  
5 validity of the other provisions shall not be affected by such declaration.

6           **SEC. 6.** This Act shall take effect 15 days following its publication in the Official  
7 Gazette or in at least two newspapers of general circulation.

8           Approved,