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

SENATE

COMMITTEE REPORT NO. __787__

Submitted by the Committee on Constitutional Amendments, Revision of Codes and Laws on__JAN 2 7 2010__.

Re: Senate Bill No. __3570__

Recommending its approval in substitution of Senate Bill No. 2972.

Sponsors: Senators Escudero and Gordon

MR. PRESIDENT:

The Committee on Constitutional Amendments, Revision of Codes and Laws, to which was referred Senate Bill No. 2972, introduced by Senator Gordon, entitled:

"AN ACT

ALLOWING EARLY VOTING IN NATIONAL ELECTIONS, AMENDING FOR THIS PURPOSE BATAS PAMBANSA BLDG. 884, OTHERWISE KNOWN AS THE OMNIBUS ELECTION CODE OF THE PHILIPPINES "

has considered the same and has the honor to report it back to the Senate with the recommendation that the attached bill, Senate Bill No. __3570__, prepared by the Committee, entitled:

"AN ACT

ALLOWING EARLY VOTING IN NATIONAL AND LOCAL ELECTIONS"

be approved in substitution of Senate Bill No. 2972 with Senators Escudero and Gordon as authors.
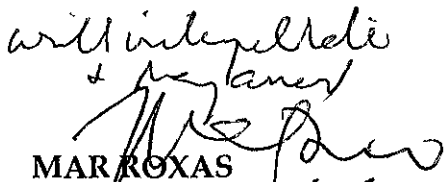
Respectfully Submitted:

FRANCIS G. ESCUDERO
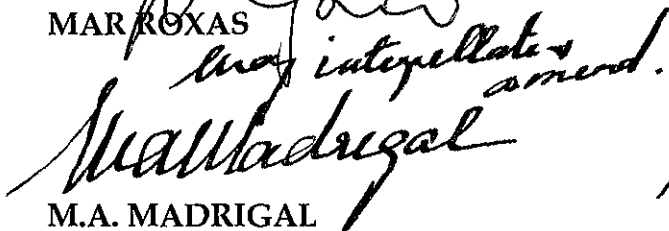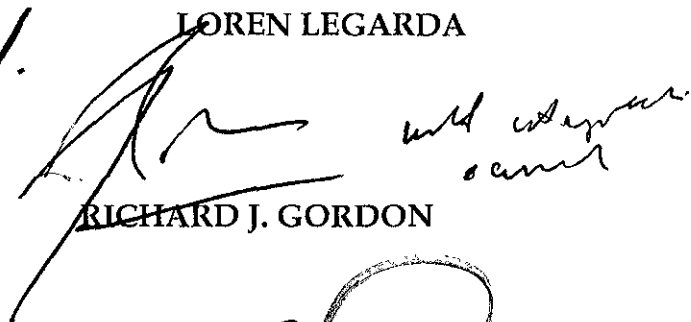*Chairman*

Members:

BENIGNO S. AQUINO III

RODOLFO G. BIAZON

MAR ROXAS

LOREN LEGARDA

M.A. MADRIGAL
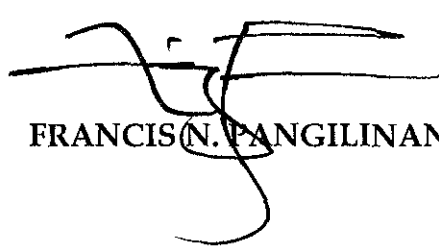
RICHARD J. GORDON

PIA S. CAYETANO

MANUEL "LITO" M. LAPID

JOKER P. ARROYO

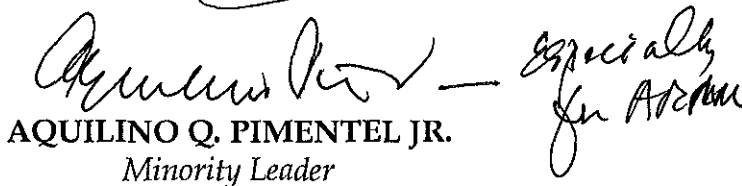**FRANCIS N. PANGILINAN**

Ex-Officio Members

JINGGOY EJERCITO-ESTRADA
President Pro-Tempore

JUAN MIGUEL F. ZUBIRI
Majority Leader
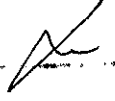
AQUILINO Q. PIMENTEL JR.
Minority Leader

Hon. JUAN PONCE ENRILE
Senate President
Senate of the Philippines
Pasay City

Prepared by the Committee on Constitutional Amendments, Revision of Codes and Laws with Senators Escudero and Gordon as authors

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"AN ACT
ALLOWING EARLY VOTING IN NATIONAL AND LOCAL ELECTIONS"

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

1   **SECTION 1.** *Title.* This Act shall be known as the Early Voting Act of 2010.

2   **SEC. 2.** *Declaration of Policy.* It is hereby declared a policy of the State to protect,

3   promote and secure the will of the sovereign. Toward this end, the State shall ensure

4   that laws are in place for its constituents to be able to exercise their right to suffrage

5   freely, orderly and peacefully with the end in view of ensuring their choice of

6   leadership in government.

7   **SEC. 3.** *Coverage.* This Act shall cover the conduct of early voting, counting and

8   canvassing in municipalities, cities, and/or provinces as determined by the COMELEC

9   pursuant to the provisions of this Act.

10   **SEC. 4.** *Early Voting.* The Commission on Elections (COMELEC), *motu propio* or

11   upon a verified petition, after due notice and hearing, may authorize the conduct of

12   early voting in political subdivision/s as may be determined by it not later than March

13   10, 2010 for the May 10, 2010 elections, and one hundred fifty (150) days before the

14   regular election day in succeeding elections.

15   *Provided,* that said political subdivision/s shall be determined only where

16   there is a history of election violence or terrorism and analogous causes of such

17   nature that would endanger the holding of free, orderly, honest, peaceful and

18   credible elections.

1   *Provided further,* that the total number of registered voters in said political

2   subdivision/s does not exceed ten percent (10%) of the total number of registered

3   voters nationwide.

4   *Provided finally,* that the early voting shall be conducted not earlier than

5   one month but not later than ten (10) days before the date of the elections.

6

7   **SEC. 5.** *Early Voting for certain sectors.* The COMELEC shall likewise authorize

8   the conduct of early voting under RA No. 9189 and EO No. 157 series of 1987 for sectors

9   mentioned therein, members of the media, detainees/inmates and uniformed personnel

10   of the BJMP.

11   **SEC. 6.** *Early Voting Day* – The COMELEC shall ensure the participation of all

12   registered voters in political subdivisions where early voting shall be conducted.

13   **SEC. 7.** *Implementing Rules and Regulations.* – The COMELEC shall, within ten

14   (10) days from the effectivity of this Act, promulgate the necessary implementing rules

15   and regulations for the effective implementation of this Act in time for the May 10, 2010

16   elections.

17   **SEC. 8.** *Repealing Clause.* All laws, decrees, orders, rules and regulations and

18   other issuances or parts thereof which are inconsistent with the provisions of this Act

19   are hereby repealed or modified accordingly.

20   **SEC. 9.** *Separability Clause.* In the event that any provision of this Act is declared

21   unconstitutional, the validity of the other provisions shall not be affected by such

22   declaration.

23   **SEC. 10.** *Effectivity Clause.* This Act shall effect immediately following its

24   publication in the Official Gazette or in at least two newspapers of general circulation.

25   *Approved,*