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SENATE

Senate Bill No. 1361

RECEIVED BY: *ji*

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

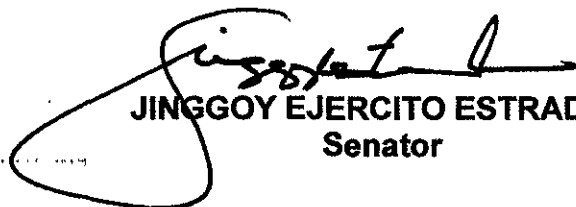
This bill seeks to provide that the schedule of fair market values of real property shall be prepared by the Local Assessment Council amending for the purpose the Local Government Code of 1991.

At present, the preparation of schedule of fair market values of real property is the sole responsibility of the provincial, city or municipal assessor. Since the fair market value is the price at which a property may be sold by a seller who is not compelled to sell and bought by a buyer who is not compelled to buy, its determination is often subject to question, for the assessor sometimes base his preparation on prejudices, depending on his own personal interests. This results in unfair assessment of fair market values and is detrimental to both the buyer and the seller, whose welfare should always be safeguarded.

It is therefore suggested that instead of one person performing such function, a collegial body must be created and so empowered. This body, the Local Assessment Council shall have as members the following: the planning and development officer, assessor, a representative from the private sector or non-governmental organizations represented in the local development council. The function of preparation of the schedule of fair market values of real property is thereby removed from the Local Assessor.

With this, the performance of said task will be based on various perspectives, eliminating the possibility of a schedule which favors only certain groups of sectors, or is erroneously done.

Thus, approval of this bill is earnestly sought.


JINGGOY EJERCITO ESTRADA
Senator

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



Senate
Office of the Secretary

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Senate Bill No. 1361

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AN ACT
PROVIDING THAT THE SCHEDULE OF FAIR MARKET VALUES OF REAL
PROPERTY SHALL BE PREPARED BY THE LOCAL ASSESSMENT
COUNCIL AMENDING FOR THE PURPOSE THE LOCAL GOVERNMENT
CODE OF 1991

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

SECTION 1. Section 212 of Republic Act Numbered Seventy-one hundred
and sixty, otherwise known as the Local Government Code of 1991 is hereby
amended to read as follows:

"SEC.212. *Preparation of Schedule of Fair Market Values.* - Before
any general revision of property assessment is made pursuant to
the provision of this Title, there shall be prepared a schedule of fair
market values by the [provincial, city and the municipal assessors]
LOCAL ASSESSMENT COUNCIL OF EACH PROVINCE CITY OR
MUNICIPALITY [the municipalities within the Metropolitan Manila
Area] for the different classes of real property situated in their
respective local government units for enactment by ordinance of
the sanggunian concerned. The schedule of fair market values shall
be province, city or municipality shall and in two other conspicuous
public places therein. THE LOCAL ASSESSMENT COUNCIL
SHALL BE COMPOSED OF THE PLANNING AND DEVELOPMENT
OFFICER, ASSESSOR, A REPRESENTATIVE FROM THE
SANGGUNIAN AND A REPRESENTATIVE FROM THE PRIVATE
SECTOR OR NONGOVERNMENTAL ORGANIZATIONS
REPRESENTED IN THE LOCAL DEVELOPMENT COUNCIL."

SEC. 2. Section 214 of the same Act is also hereby amended to read as
follows:

"SEC. 214. *Amendment of Schedule of the Fair Market Values.* -
The [provincial, city or municipal assessor] LOCAL ASSESSMENT
COUNCIL, may recommend to the sanggunian or concerned
amendments or correct errors in valuation in the schedule of fair
market values. The sanggunian concerned shall, by ordinance, act
upon the recommendation within ninety (90) days from receipt
thereof."

SEC. 3. Repealing Clause. - All laws, presidential decrees, executive orders, proclamations, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 4. Separability Clause. - If, for any reason, any section or provision of this Act shall be held unconstitutional or invalid, the other section or provision not otherwise affected shall remain valid.

SEC. 5. Effectivity Clause. - This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,