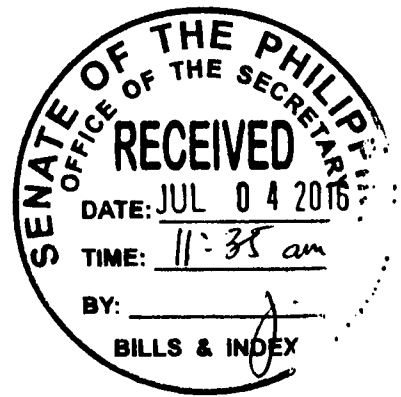


**SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )**

**SENATE**

**S.B. No. 301**



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**Introduced by Sen. Juan Miguel F. Zubiri**

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**AN ACT  
PROVIDING FOR LOCAL ABSENTEE VOTING FOR PERSONS WITH  
DISABILITIES AND SENIOR CITIZENS**

**EXPLANATORY NOTE**

The democratic principle requires the broadest participation in electoral and similar exercises by persons who have all the qualifications and none of the disqualifications to vote.<sup>1</sup> Towards this end, laws have been enacted to ensure equal opportunity to all qualified citizens of the Philippines in the exercise of this fundamental right.

By virtue of Republic Act No. 7166, government officials and employees and members of the Armed Forces of the Philippines and the Philippine National Police are permitted to vote in places where they are not registered voters but where they are temporarily assigned to perform election duties on election day. Through the enactment of Republic Act No. 10380, the same exemption is extended to members of the media, media practitioners, including the technical and support staff who may not be able to vote on election day due to the performance of their functions in covering and reporting on the elections.

Government efforts to encourage participation in the electoral processes have also been directed to vulnerable sectors such as Persons with Disabilities (PWDs) and Senior Citizens (SCs). Republic Act No. 10366, for example, mandates the provision of accessible polling places exclusively for PWDs and SCs. However, despite such efforts, these vulnerable sectors continue to encounter difficulties as they try to exercise this right. The inaccessibility of registration centers and voting precincts is only one of the many impediments that make the process more challenging for members of these sectors. Mobility problems, which are prevalent in both PWDs and SCs, remain to be one of the reasons why some fail to participate in electoral processes.

According to a report from the COMELEC Elections and Barangay Affairs Department dated 13 January 2016, there has been a 14% decrease in the number of registered voters with disabilities, from a recorded 339,144 in 2013, to a total of 292,908 in 2016. The report further states that out of the total number of registered voters with disabilities, 50,997 or almost 20% are PWD voters suffering from physical disabilities.<sup>2</sup>

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<sup>1</sup> Executive Order 157, s. 1987.

<sup>2</sup> "Fewer registered PWD voters for 2016 elections," last modified February 16, 2016, <http://www.philstar.com/headlines/2016/02/16/1553628/fewer-registered-pwd-voters-2016-elections>.

COMELEC records show that there are 54,363,844 registered voters for the 2016 National Elections. Of this number, 318,013 are PWDs, while 6,695,251 are SCs.<sup>3</sup> In line with the objective of ensuring equal opportunity to all qualified citizens of the Philippines in the exercise of their right to suffrage, and in recognition of the special needs of two of society's most vulnerable sectors, this bill seeks to extend a reasonable accommodation to all qualified PWDs and SCs and provide for a local absentee voting system that would allow for an easier and more convenient electoral process for members of both sectors.

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



**JUAN MIGUEL F. ZUBIRI**

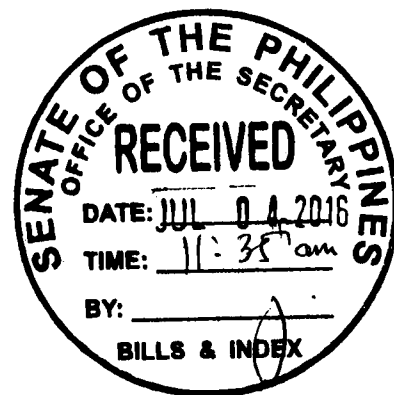
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<sup>3</sup> Philippine 2016 Voters Profile by Age Group, last modified January 7, 2016.  
<http://www.comelec.gov.ph/?r=2016NLE/Statistics/Philippine2016VotersProfile/ByAgeGroup>.

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**AN ACT**  
**PROVIDING FOR LOCAL ABSENTEE VOTING FOR PERSONS WITH DISABILITIES AND SENIOR CITIZENS**

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

**SECTION 1. Declaration of Policy.** – It is the duty of the State to guarantee the free exercise of the right of suffrage by all citizens of the Philippines not otherwise disqualified by law. Towards this end, the State shall ensure equal opportunity to all qualified citizens of the Philippines in the exercise of this fundamental right.

**SEC. 2. Definition of Terms.** – For the purposes of this Act:

- a. "Local Absentee Voting" shall refer to a system of voting whereby government officials and employees, including members of the Armed Forces of the Philippines (AFP), and the Philippine National Police (PNP) as well as members of the media, media practitioners including their technical and support staff who are duly registered voters, are allowed to vote for the national positions, i.e. President, Vice-President, Senators and Party-List Representative in places where they are not registered voters but where they are temporarily assigned to perform election duties on election day as provided for under Executive Order No. 157, s. 1987, Republic Act No. 7166, and Republic Act No. 10380;
- b. "Commission" shall refer to the Commission on Elections;
- c. "Persons with Disabilities" shall refer to qualified voters who have long-term physical, mental, intellectual, or sensory impairments which in interaction with various barriers may hinder their full and effective participation in the electoral processes on an equal basis with others;
- d. "Senior Citizens" shall refer to qualified voters who are at least sixty (60) years old.

**SEC. 3. Coverage.** – The Commission shall extend to all Senior Citizens and Persons with Disabilities, who are not otherwise disqualified by law, the right to vote under the local absentee voting system: *Provided*, That he/she is a duly registered voter: *Provided, further*, That he/she shall be allowed to vote only for the positions of President, Vice President, Senators and Party-List Representative.

**SEC. 4. Registry of Senior Citizens and Persons with Disabilities.** – For the purposes of this Act, the Commission is thereby mandated to establish and maintain an updated voter registry of all qualified Senior Citizens and Persons with Disabilities.

**SEC. 5. Implementing Rules and Regulations.** – The Commission shall, within thirty (30) days from the effectivity of this Act, promulgate the implementing rules and regulations, which shall provide for an inclusive local absentee voting system for all qualified Senior Citizens

and Persons with Disabilities that will allow them to vote in any voting precinct that is most accessible to them.

**SEC. 6. Appropriations.** – The initial funding of this Act shall be charged against the current year's appropriations or from any available savings of the Commission. Thereafter, such amount as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

**SEC. 7. Separability Clause.** - If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

**SEC. 8. Repealing Clause.** - All laws, presidential decrees or issuances, executive orders, letters of instruction, administrative orders, rules or regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, modified, or amended accordingly.

**SEC. 9. Effectivity Clause.** - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

***Approved,***