

**SENATE**

**S. B. No. 1104**

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**Introduced by Sen. Imee R. Marcos**

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**AN ACT PROVIDING FOR EARLY VOTING FOR QUALIFIED SENIOR  
CITIZENS AND PERSONS WITH DISABILITIES IN ALL ELECTIONS**

EXPLANATORY NOTE

Suffrage is a natural and inherent right of every citizen, it is both a privilege and an obligation. Under Section 1, Article V of the Constitution, suffrage may be exercised by all citizens of the Philippines not otherwise disqualified by law. Further, the State must ensure that senior citizens and persons with disabilities (PWDs) are able to exercise their right to political participation without discrimination or restrictions.

Senior citizens and PWDs play a vital role in nation-building, the state must impose measures to ensure that their special conditions is not a hindrance in the exercise of their right to participate in national and local elections. In 2012, Republic Act No. 10366 was enacted authorizing the Commission on Elections to establish Accessible Polling Places (APPs). This would guarantee that senior citizens and PWDs are able to exercise their right to political participation.

Based on a 2019 data issued by the Commission on Elections, there are 61.8 million registered voters wherein 8,076,306 are senior citizens and 342,300 are PWDs. However, only 211,427 senior citizens and 30,936 PWDs indicated that they would vote in APPs, while 7,864,879 senior citizens and 311,364 PWDs voted in the negative. It was also reported that one of the problems encountered by senior citizens and PWDs at the APPs was that people who needed special assistance were not immediately identified and assisted by the poll workers. Thus, it is imperative that a system be established to make voting accessible and convenient for senior citizens and PWDs.

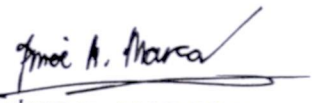
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This bill proposes to provide senior citizens and PWDs the option to vote earlier than the date set for the elections. Through this, senior citizens and PWDs are ensured to be properly assisted so they may easily and properly cast their votes.

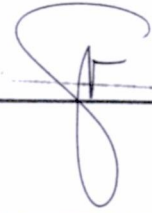
In view of the foregoing, the passage of this bill is earnestly sought.

  
IMEE R. MARCOS

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CITIZENS AND PERSONS WITH DISABILITIES IN ALL ELECTIONS**

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

1           **SECTION 1. Declaration of Policy.** — It is hereby declared the policy of the  
2 State to make voting accessible for senior citizens and persons with disabilities (PWDs)  
3 by giving them the option to vote earlier than the date set for the election.

4           **SEC. 2. Early Voting.** — For national and local elections, there shall be early  
5 voting where senior citizens and PWDs qualified to vote early may choose to cast their  
6 ballot for a period of not less than two (2) days within thirty (30) calendar days before  
7 election day at accessible establishments designated by the Commission on Elections  
8 (COMELEC).

9           For this purpose, accessible establishments shall have sufficient disability  
10 support services, located at the ground floor of designated election offices or strategic  
11 areas at every city or municipality all over the country.

12           **SEC. 3. Registration.** — There shall be a nationwide registration of senior  
13 citizens and PWDs who may wish to avail of their early voting privileges to qualify  
14 them for early voting. Only those who are not registered under this Act shall vote on  
15 Election Day.

16           **SEC. 4. Obligations of the COMELEC.** To ensure the smooth  
17 implementation of this Act, the COMELEC shall:

18           (a) Keep a record of senior citizens and PWDs who are registered voters;



1 (b) In coordination with local government units, the National Council on  
2 Disability Affairs, the Persons with Disabilities Affairs Office or, in case of its  
3 unavailability, the designated Focal Person for PWDs at the local government unit  
4 concerned, the Office of Senior Citizens Affairs, the Commission on Human Rights, the  
5 Departments of Education, Health, Interior and Local Government, and Social Welfare  
6 and Development, shall design a registration system that shall allow senior citizens  
7 and PWDs to register and opt for early voting in order to improve their voting  
8 experience in national and local elections;

9 (c) Ensure the full implementation of Republic Act No. 10366, entitled "An Act  
10 Authorizing the Commission on Elections to Establish Precincts Assigned to Accessible  
11 Polling Places Exclusively for Persons with Disabilities and Senior Citizens", such that  
12 polling places are safe, highly accessible and fitted with the necessary communication,  
13 visual and physical aids;

14 (d) Safeguard the sanctity and secrecy of votes of Senior Citizens and Persons  
15 with Disabilities (PWD);

16 (e) Mount an intensive information campaign on early voting by qualified senior  
17 citizens and PWDs.

18 **SEC. 5. Appropriations.** — The amount necessary to fund early voting by  
19 qualified senior citizens and PWDs in national and local elections shall be included in  
20 the annual General Appropriations Act.

21 **SEC. 6. Applicability of Other Laws.** — The provisions of Batas Pambansa  
22 Blg. 881 or the Omnibus Election Code; Republic Act No. 7166, entitled "An Act  
23 Providing for Synchronized National and Local Elections and for Electoral Reforms,  
24 Authorizing Appropriations Therefor, and for Other Purposes"; and other election laws  
25 not inconsistent herewith shall be applied to facilitate the early voting by qualified  
26 senior citizens and PWDs.

27 **SEC. 7. Implementing Rules and Regulations.** — Within ninety (90) days  
28 from the approval of this Act, the COMELEC shall, in consultation with other relevant  
29 government and nongovernment agencies, promulgate the rules and regulations  
30 necessary to implement this Act.

1           **SEC. 8. Separability Clause.** — If any provision or part hereof is declared  
2 unconstitutional, the remainder of this Act or any provision not affected shall remain  
3 in full force and effect.

4           **SEC. 9. Repealing Clause.** — All laws, presidential decrees, executive orders,  
5 rules and regulations or parts thereof inconsistent with the provisions of this Act are  
6 hereby repealed, amended or modified accordingly.

7           **SEC. 10. Effectivity.** — This Act shall take effect fifteen (15) days  
8 after its publication in the Official Gazette or in any newspaper of general circulation.

*Approved,*