

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



SENATE

S.B. No. 2216

(In substitution of S.B. No. 1866, taking into consideration
S.B. Nos. 1104 and 1870, and H.B. No. 6470)

Prepared by the Committees on Electoral Reforms and People's Participation;
Social Justice, Welfare and Rural Development; and Finance
with Senators Angara, Marcos, and De Lima as authors thereof

AN ACT
ENHANCING ACCESSIBILITY IN THE VOTING OF SENIOR CITIZENS,
PERSONS WITH DISABILITIES, PREGNANT WOMEN, AND INDIGENOUS
PEOPLES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10366,
PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

1 **SECTION 1. *Declaration of Policy.*** – The State shall ensure that senior citizens,
2 persons with disabilities (PWDs), pregnant women, and indigenous peoples (IPs) are
3 able to exercise their right to political participation without restrictions. The State shall
4 devise systems and procedures that will enhance accessibility in their voting process.

5 **SEC. 2. *Definition of Terms.*** – As used in this Act, the term:

6 (a) “Commission” refers to the Commission on Elections.

7 (b) “Senior citizens” refer to qualified voters who are sixty (60) years or
8 older.

1 (c) "Persons with disabilities" or "PWDs" refer to qualified voters who have
2 long term physical, mental, intellectual, or sensory impairments which, in interaction
3 with various barriers, may hinder their full and effective participation in society on an
4 equal basis with others.

5 (d) "Pregnant women" refer to qualified voters who are pregnant at the time
6 of the period for early voting and during election day regardless of the number of
7 trimester.

8 (e) "Indigenous peoples" refer to qualified voters who belong to a group of
9 people or homogenous societies identified by self-ascription and ascription by others,
10 who have continuously lived as organized community on communally bounded and
11 defined territory, and who have, under claims of ownership since time immemorial,
12 occupied, possessed and utilized such territories, sharing common bonds of language,
13 customs, traditions and other distinctive cultural traits, or who have, through
14 resistance to political, social and cultural inroads of colonization, non-indigenous
15 religions and cultures, became historically differentiated from the majority of Filipinos.
16 IPs shall likewise include peoples who are regarded as indigenous on account of their
17 descent from the populations which inhabited the country, at the time of conquest or
18 colonization, or at the time of inroads of non-indigenous religions and cultures, or the
19 establishment of present state boundaries, who retain some or all of their own social,
20 economic, cultural and political institutions, but who may have been displaced from
21 their traditional domains or who may have resettled outside their ancestral domains.

22 SEC. 3. *Early Voting.* – For national and local elections, there shall be early
23 voting where senior citizens, PWDs, pregnant women, and IPs qualified to vote early
24 may choose to cast their ballot for a period of not less than two (2) days within thirty
25 (30) calendar days before election day at accessible establishments designated by the
26 Commission.

1 For this purpose, accessible establishments shall be located at the ground floor,
2 preferably near the entrance of a building, shall be readily accessible to public
3 transportation, and shall be free of any physical barriers and provided with necessary
4 infrastructure and disability support services, including assistive devices, transport
5 wheelchairs, ramps, railings, sidewalk, adequate lighting, ventilation, and other
6 features for the senior citizens, PWDs, and pregnant women.

7 Aside from structural accessibility, the Commission shall provide live assistance
8 for PWDs such as sign language interpreters.

9 There shall be a nationwide registration of senior citizens, PWDs, pregnant
10 women, and IPs who may wish to avail of their early voting privileges to qualify them
11 for early voting. Only those who are not registered under the early voting system shall
12 vote on election day.

13 SEC. 4. *Option for Postal Early Voting.* – Senior citizens, PWDs, pregnant
14 women, and IPs who registered for early voting shall have the option to cast their
15 ballot via post in designated precincts: *Provided,* That voters who wish to vote via post
16 must first be registered to do so with the Commission.

17 The Commission shall provide rules, necessary safeguards, and confirmation
18 procedures to properly implement this provision.

19 SEC. 5. *Emergency Accessible Polling Places (EAPP).* – During election day, the
20 Commission shall designate a room or a makeshift or temporary polling place
21 established at the ground of a voting center or outside of it but in close proximity
22 thereto, where senior citizens, PWDs, and pregnant women voters may vote on
23 election day.

24 The Commission shall ensure that the voting procedure in the EAPP, including
25 the facilities, materials, and a voting machine in the event of automated elections, are
26 adequate, appropriate, accessible, and easy to understand and use, and that

1 reasonable accommodation shall be granted to PWDs, senior citizens, and pregnant
2 women in order that they may fully exercise their right of suffrage. The Commission
3 shall provide live assistance for PWDs such as sign language interpreters.

4 SEC. 6. Section 2(j) of Republic Act No. 10366 is hereby amended to read as
5 follows:

6 "SEC. 2. *Definition of Terms.* – xxx

7 (a) xxx.

8 xxx.

9 (j) *Accessible polling place* refers to the venue where the
10 Board of Election Inspectors (BEIs) conducts election-related
11 proceedings and where the voters cast their votes. The accessible
12 polling place shall be located at the ground floor, preferably near the
13 entrance of the building, **SHALL BE READILY ACCESSIBLE TO**
14 **PUBLIC TRANSPORTATION**, and [is] **SHALL BE** free of any
15 physical barriers and provided with necessary **INFRASTRUCTURE**
16 **AND** services, including assistive devices, **TRANSPORT**
17 **WHEELCHAIRS, RAMPS, RAILINGS, SIDEWALKS, ADEQUATE**
18 **LIGHTING, VENTILATION, AND OTHER FEATURES FOR**
19 **PERSONS WITH DISABILITIES AND SENIOR CITIZENS."**

20 SEC. 7. Section 9 of Republic Act No. 10366 is hereby amended to read as
21 follows:

22 "SEC. 9. [~~Creation of~~] *Precincts for Persons with Disabilities and*
23 *Senior Citizens.* – The Commission is hereby authorized to [establish]
24 **DESIGNATE** precincts [~~of a nonterritorial nature,~~] **IN ACCESSIBLE**
25 **POLLING PLACES FOR THE** exclusive[ely for] **USE OF** persons with

1 disabilities and senior citizens [~~who in their registration records~~
2 ~~manifest their intent to avail of their right to a separate precinct under~~
3 ~~this section. Pursuant hereto, the Commission shall establish at least~~
4 ~~one (1) such precinct, assigned to accessible polling places, for every~~
5 ~~voting center.], **SUCH AS IN PUBLIC SCHOOLS, TOWN HALLS**
6 **OR PLAZAS, CIVIC CENTERS, COMMUNITY CENTERS, OR**
7 **OTHER SIMILARLY DESIGNATED SPECIAL VENUES OR AREAS,**
8 **WITH PREFERENCE FOR VENUES DESIGNED WITH SPECIAL**
9 **FEATURES TO ENSURE THEIR SAFETY AND COMFORT.** Such
10 precincts shall be provided with assistive devices **PURSUANT TO THE**
11 **PROVISIONS OF SECTION 2(J) OF THIS ACT** as well as the
12 services of experts in assisting persons with disabilities, **SUCH AS**
13 **SIGN LANGUAGE INTERPRETERS.**~~

14 *SEC. 8. Implementing Rules and Regulations.* – Within ninety (90) days from
15 approval of this Act, the Commission shall, in consultation with other relevant
16 government agencies, non-governmental organizations, and civil society
17 organizations, promulgate the rules and regulations necessary to implement this Act.

18 *SEC. 9. Appropriations.* – The initial appropriation to carry out the provisions of
19 this Act shall be charged against the current appropriations of the Commission.
20 Thereafter, the amount necessary for the continued implementation of this Act shall
21 be included in the annual General Appropriations Act.

22 *SEC. 10. Separability Clause.* – Should any provision of this Act or part hereof
23 be declared unconstitutional, the other provisions or parts not affected thereby shall
24 remain valid and effective.

25 *SEC. 11. Repealing Clause.* – All laws, decrees, orders, and issuances, or
26 portions thereof, which are inconsistent with the provisions of this Act, are hereby
27 repealed, amended, or modified accordingly.

1 SEC. 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its
2 publication in two (2) newspapers of general circulation.

Approved,