

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

7 JUL 18 P2:51

SENATE
S. B. No. 1290

RECEIVED BY: [Signature]

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

A "polling place" as defined in the Omnibus Election Code, Section 152, is the building or place where the Board of Election Inspectors conducts its proceedings and where the voters cast their votes.

It also provides that "each polling place shall be, as far as practicable, a ground floor and shall be of sufficient size to admit and comfortably accommodate forty voters at one time..." In line with this, the Magna Carta for Disabled Persons (Republic Act. No. 7277) Section 29 also provides that "polling places should be made accessible to disabled persons during national and local elections."

However, despite these provisions, the accessibility of the polling place especially for those registered voters who have physical or sensory limitations, has been found to be wanting. Thus, the proposed bill seeks to provide for a special polling place for the disabled and the elderly.*

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
[Signature]

* This bill was originally filed during the Thirteenth Congress, First Regular Session.

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1 AN ACT
2 PROVIDING FOR A SPECIAL POLLING PLACE
3 FOR THE DISABLED AND THE ELDERLY

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

6 SECTION 1. *Short Title.* – This Act may be cited as “The Special Polling Act of 2007”

7 SECTION 2. *Definition of Terms.* – As used in this act, the term:

8 (A) “Special polling place” refers to the place where the board of election inspectors
9 conducts election-related proceedings such as registration, voting and the like, that is
10 easily accessible to the disabled and the elderly;

11 (B) “Barrier free environment” refers to an area where the special polling place within a
12 voting center is located, having such architectural or structural features which
13 reasonably enhance the mobility of the disabled and the elderly such as sidewalks,
14 ramps, railing, and the like or is easily accessible to wheelchairs;

15 (C) “Voting center” refers to the building or place where special polling.....

16 (D) “Disabled” refers to those persons with physical, physiological or sensory
17 impairment, or those persons suffering from restrictions of *different abilities to*
18 perform an activity in the manner or within the range considered normal to a human
19 being and at the same time, possess the qualifications and none of the
20 disqualifications of a voter; and

21 (E) “Elderly” refers to senior citizens who have physical limitations due to age or
22 sickness and at the same time possess the qualifications and none of the
23 disqualifications of a voter.

1 SECTION 3. *Special Polling Places for the Disabled and the Elderly.* – The Commission
2 on Elections, in coordination with local government units, concerned government agencies and
3 other concerned groups and organizations shall conduct a study on the disabled and the elderly in
4 a locality to get data on their number, distribution, the extent of their limitations which may
5 restrict their ability to participate in election-related activities, and other relevant information.
6 Afterwards, the COMELEC shall provide for a special polling places for the *disabled and the*
7 *elderly*; Provided, That the number and location of the special polling places shall be determined
8 by the outcome of the study; provided further, that the designation of special polling places shall
9 not compromise nor alter the principle or territorial jurisdiction used in election-related activities
10 such that no special precincts shall be created for the purpose; provided further, that as a safety
11 measure, once the COMELEC determines who among the disabled and the elderly require a
12 special polling place, it shall make a separate list containing the name, address, a brief
13 description of the disability or physical limitation, the precinct and the city or municipality where
14 he/she belongs, and if already available, the voter’s identification number. The list shall be
15 posted one (1) month before any election-related activity, in two (2) conspicuous places in the
16 city or municipal hall for one (1) week and shall be regularly updated. Those included in the list
17 shall *only be allowed* to use hi/her designated special polling place, while others who are not in
18 the list, shall not be allowed to use the same; provided finally, that the special polling places
19 shall be located in a *barrier free environment*, easily accessible to the disabled and the elderly.

20 SECTION 4. *Information and Education Campaign.* – The commission shall conduct an
21 information and education campaign for the effective implementation of this act.

22 SECTION 5. *Rules and Regulations.* – The Commission on Elections shall issue the
23 necessary rules and regulations for the effective implementation of this Act.

24 SECTION 6. *Separability Clause.* – If any provision or part hereof is held invalid or
25 unconstitutional, the remainder of the Act or the provision not otherwise affected shall remain
26 valid and subsisting.

1 SECTION 7. *Repealing Clause.* – Any law, presidential decree or issuance, executive
2 order, letter of instruction, administrative rule or regulation contrary to or inconsistent with the
3 provisions of this Act is hereby repealed, modified, or amended accordingly.

4 SECTION 8. *Effectivity Clause.* – This Act shall take effect immediately after its
5 approval.

6 Approved,