

10 JUL -7 1978

SENATE

Senate Bill No. 524

RECEIVED BY: 

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

Since its enactment, Batas Pambansa Blg. 881, otherwise known as the Omnibus Election Code of the Philippines, has undergone several amendments and revisions.

Despite the best efforts by the past Congress to keep this law at pace with modern electoral practices, there are still a number of provisions that need to be modified accordingly so as to make the fundamental election law of the land respond to the radical challenges and demands of modern times.

This proposed measure specifically seeks to amend Section 10 of the said statute, along with the inclusion of several subparagraphs in order to methodically specify and identify concerned agencies responsible in providing the funding required for the conduct of various electoral exercises in our country.


With the passage of this proposed bill, it is expected that the processing and releasing of the necessary funds incidental to defraying the cost of elections be easily facilitated, thereby, ensuring the conduct of a speedy and efficient electoral exercise.

In view of this, immediate passage of this proposed legislation is, thus, earnestly sought.


JINGGOY EJERCITO ESTRADA
Senator

10 JUL -7 49:18

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AN ACT
AMENDING SECTION 10 OF BATAS PAMBANSA BLG. 881, OTHERWISE
KNOWN AS THE OMNIBUS ELECTION CODE OF THE PHILIPPINES, AS
AMENDED, AND FOR OTHER PURPOSES

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

SECTION 1. Section 10 of Batas Pambansa Blg. 881, otherwise known as
the Omnibus Election Code of the Philippines, as amended, is hereby amended
to read as follows:

"SEC. 10. *Election Expenses.* - (A) [Except in barangay elections] such expenses as may be necessary and reasonable in connection with the HOLDING OF elections, referenda, plebiscites, RECALL and other similar ELECTORAL exercises shall be paid by the Commission, EXCEPT WHEN OTHERWISE PROVIDED UNDER THIS ACT. The Commission may direct that in the CASE OF provinces, cities or municipalities, the election expenses chargeable to the Commission be advanced by the province, city or municipality concerned subject to reimbursement by the Commission upon presentation of the proper bill.

(B) ALL BALLOT BOXES, ELECTION FORMS, SUPPLIES AND PARAPHERNALIA SHALL BE PROVIDED BY THE COMMISSION AND DISTRIBUTED TO THE PROVINCIAL AND CITY TREASURER AT THE EXPENSE OF THE COMMISSION.

THE PROVINCIAL TREASURER SHALL, AT THE EXPENSE OF THE PROVINCE, PROVIDE THE NECESSARY FACILITIES FOR THEIR DELIVERY TO THE MUNICIPALITIES WITHIN THE PROVINCE. THE CITY AND MUNICIPAL TREASURERS SHALL, AT THE EXPENSE OF THE CITY OR MUNICIPALITY, PROVIDE THE NECESSARY TRANSPORT FACILITIES FOR THE BOARDS OF ELECTION INSPECTORS AND THEIR BALLOT BOXES, ELECTION FORMS, SUPPLIES AND PARAPHERNALIA TO AND FROM THEIR ASSIGNED POLLING PLACES.

(C) LIGHTING FACILITIES IN THE POLLING PLACES AND IN PLACES WHERE THE COUNTING OF VOTES OR THE CANVASSING OF ELECTION RETURNS ARE CONDUCTED SHALL BE PROVIDED BY THE MUNICIPALITY, CITY OR PROVINCE CONCERNED AT ITS EXPENSE.

(D) OVERTIME SERVICES RENDERED IN CONNECTION WITH THE ELECTIONS SHALL BE PAID BY THE RESPECTIVE GOVERNMENT AGENCIES AT THE SAME RATE AUTHORIZED FOR PERSONNEL OF THE COMMISSION.

(E) POLL REQUIREMENTS OF THE MILITARY AND POLICE CONTINGENTS ASSIGNED TO ELECTION DUTIES SHALL BE PROVIDED BY THE ARMED FORCES OF THE PHILIPPINES AND THE PHILIPPINE NATIONAL POLICE, RESPECTIVELY.

(F) GOVERNMENT AGENCIES CONCERNED SHALL INCLUDE IN THEIR ANNUAL OR SPECIAL APPROPRIATIONS THE AMOUNT NECESSARY TO COVER THEIR RESPECTIVE EXPENSES FOR THE NEXT SUCCEEDING ELECTION.

(G) IN CASE A MUNICIPALITY CANNOT AFFORD TO PROVIDE AT ITS EXPENSE THE FACILITIES MENTIONED ABOVE, THE EXPENSES RELATIVE THERETO SHALL BE ADVANCED BY THE PROVINCE AND SAID MUNICIPALITY SHALL REIMBURSE THE SAME UPON REPRESENTATION OF THE PROPER BILL AND AS SOON AS IT IS FINANCIALLY IN A POSITION TO DO SO.

(H) ANY CLAIM FOR ANY EXPENDITURE INCURRED IN CONNECTION WITH THE ELECTION AND PAYABLE BY THE COMMISSION WITHIN SIX (6) MONTHS AFTER THE LAPSE OF THE SAID PERIOD, SAID CLAIM SHALL BE DEEMED TO HAVE BEEN WAIVED AND ANY ACTION FOR THE COLLECTION THEREOF SHALL BE DEEMED TO HAVE BEEN PRESCRIBED.

(I) Funds needed by the Commission [to defray the expenses] for the holding of [regular and special] elections, referenda, plebiscites, RECALL AND OTHER SIMILAR ELECTORAL EXERCISES shall be provided in the regular appropriations of the Commission which, upon request, shall immediately be released to the Commission. In case of deficiency, the amount so provided shall be augmented from the [special activities] CONTINGENT fund[s] in the General Appropriations Act and from those specifically appropriated for the purpose in special laws."

SEC. 2. Repealing Clause. – All laws, presidential decrees, issuances, orders, rules and regulations or any part thereof inconsistent herewith are hereby amended, repealed or modified accordingly.

SEC. 3. Effectivity Clause. – This Act shall take effect after fifteen (15) days following the completion of its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,