

FIFTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

SENATE
OFFICE OF THE SECRETARY

10 JUL -7 09:18

SENATE

Senate Bill No. 526

RECEIVED BY: 

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

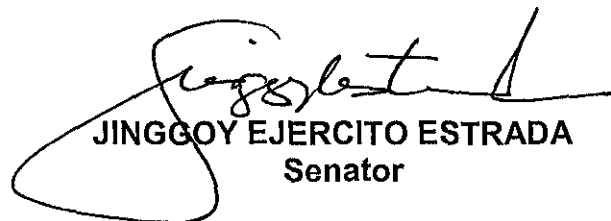
EXPLANATORY NOTE

Election contests are part and parcel of Philippine politics. These are mechanisms that provided both parties the forum to present and rebut evidence on the outcome of an electoral exercise. These mechanisms are meant to safeguard against undeserving candidates from occupying public office.

Yet this mechanism has often been the tool by some parties to frustrate the sovereign will of the electorate. More often than not, election contests drag on for years that by the time it nears resolution, the next election for the very position under contention is just around the corner.

This legislative measure seeks to provide a time period for the resolution of election contests in relation to municipal and barangay offices.

Premises considered, the early passage of this legislative measure is earnestly sought.


JINGGOY EJERCITO ESTRADA
Senator

10 JUL -7 A9:10

SENATE

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AN ACT
AMENDING SECTIONS 251 AND 252 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. Sections 251 and 252 of Batas Pambansa Blg. 881, otherwise known as the Omnibus Election Code of the Philippines, as amended, is hereby amended and joined as follows, thereby deleting said Section 252 which would read as follows:

“SEC. 251. HEARING OF ELECTION CONTESTS ON MUNICIPAL OR BARANGAY OFFICES. – THE HEARING ON ELECTION CONTESTS IN COURTS OF GENERAL JURISDICTION SHALL BE COMPLETED WITHIN THIRTY (30) DAYS FROM THE DATE OF THE PETITION. THE COURTS SHALL DECIDE THE CASE WITHIN (30) DAYS FROM THE DATE IT IS SUBMITTED FOR DECISION, BUT IN EVERY CASE WITHIN NINETY (90) DAYS AFTER ITS FILING.

THE HEARING ON ELECTION CONTESTS IN COURTS OF LIMITED JURISDICTION SHALL BE COMPLETED WITHIN TEN (10) DAYS FROM THE DATE OF FILING OF THE PETITION. THE TRIAL COURTS SHALL DECIDE THE ELECTION PROTESTS WITHIN THIRTY (30) DAYS AFTER THE FILING THEREOF.”

SEC. 2. Penalty Clause. - Any officer or personnel of the Commission on Elections who shall be found guilty of violating any provisions of this Act shall be subject to criminal and administrative sanctions as prescribed by the implementing Rules and Regulations to be promulgated pursuant to this Act.

SEC. 3. 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. 4. 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,