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SENATE

Senate Bill No. 617

SECRETARY

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

All citizens of the Philippines not otherwise disqualified by law may exercise the right of suffrage. Thus, in a similar view, the constitution mandates Congress to design a procedure for the disabled and the elderly to enable them to exercise their right to vote.

Moreover, the Magna Carta for Disabled Persons also provides that, "polling places should be made accessible to disabled persons during national or local elections."

As defined by the Omnibus Election Code, a polling place is the building or place where the Board of Election Inspectors conducts the proceedings and where the voters cast their votes.

However, despite the presence of these laws, 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.


JINGGOY EJERCITO ESTRADA
Senator

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

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

SECTION 1. Short Title. - This Act shall be known as, "***The Special Polling Place Act of 2010.***"

SEC. 2. Definition of Terms. - As used in this Act, the following shall mean:

(a) A special polling place refers to the place where the Board of Election Inspectors conducts election-related proceedings such as registration, voting and the like, that is easily accessible to the disabled and the elderly;

(b) A barrier-free environment refers to an area where the special polling place within a voting center is located, having been such architectural or structural features which reasonably enhance the mobility of the disabled and the elderly such as sidewalks, ramps, railings, and the like or is easily accessible to wheelchairs:

(c) Voting centers refer to the building or place;

(d) Disabled refers to those persons with physical, physiological or sensory impairment, or those persons suffering from restrictions of different abilities, to perform an activity in the manner or within the range considered normal to a human being and at the same time, possess the qualifications and non of the disqualifications of a voter; and

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

SEC. 3. Special Polling Places for the Disabled and the Elderly. - The Commission on Elections (Comelec), in coordination with local government units, concerned government agencies and other concerned groups or organizations, shall conduct a study on the disabled and the elderly in a locality to get data on their number, distribution, the extent of their limitations which may restrict their ability to participate in election-related activities, and the other relevant

information afterwards. The Comelec shall provide for special polling places for the disabled and the elderly; *Provided, That* the number and location of the polling places shall be determined by the outcome of the study; *Provided further,* That the designation of special polling places shall not compromise nor alter the principle of require a special polling place, it shall make a separate list containing the name, address, a brief description of the disability or physical limitation, the precinct and the city or municipality where he/she belongs, and if already available, the voter's identification number. The list shall be posted one (1) month before any election-related activity, in two (2) conspicuous places in the city or municipal hall for one (1) week and shall be regularly updated. Those included in the list shall only be allowed to use his/her designated special polling place while others who are not in the list shall not be allowed to use the same; *Provided finally,* That the special polling places shall be located in a barrier-free environment easily available to the disabled and the elderly.

SEC. 4. Information and Education Campaign. - Comelec shall conduct an information and education campaign for the effective implementation of this Act.

SEC. 5. Rules and Regulations. -The Comelec shall issue the necessary rules and regulations for the effective implementation of this Act.

SEC. 6. Separability Clause. - If any provisions or part hereof is held invalid or unconstitutional, the remainder for the Act or the provision not otherwise affected shall remain valid and subsisting.

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

Approved,