



HOUSE OF REPRESENTATIVES

H. No. 6052

BY REPRESENTATIVE LOCSIN

AN ACT REQUIRING ALL REGISTERED VOTERS WHOSE BIOMETRICS HAVE NOT BEEN CAPTURED TO APPEAR BEFORE THE ELECTION OFFICER OF THEIR PLACE OF REGISTRATION FOR PURPOSES OF HAVING THEIR PHOTOGRAPHS, FINGERPRINTS AND SIGNATURES CAPTURED THROUGH THE METHOD OF BIOMETRICS, FOR PURPOSES OF ENSURING THAT THE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM (AFIS) CAN BE UTILIZED TO CLEANSE THE RECORDS OF DOUBLE OR MULTIPLE REGISTRANTS

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

1 SECTION 1. *Declaration of Policy.* – It is the policy of the State to
2 establish a clean, complete, permanent and updated list of voters through the
3 adoption of biometric technology.

4 SEC. 2. *Definition of Terms.* – As used in this Act:

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

7 (b) “Biometrics” refers to the quantitative analysis that provides a
8 positive identification of an individual such as voice, fingerprint and/or picture.

1 (c) "Data Capture Machine (DCM)" is the device which captures the
2 picture, fingerprint and signature of a registered voter.

3 (d) "Deactivation" refers to the temporary removal of a registered voter
4 from the Registration Record of Voters for failure to appear before the
5 appropriate Election Officer for validation despite notice.

6 (e) "Double/Multiple registration" is the registration of a voter in more
7 than one (1) city or municipality.

8 (f) "Election Registration Board" refers to the body constituted
9 pursuant to Republic Act No. 8189 (otherwise known as "The Voter's
10 Registration Act of 1996") to act on all applications for registration.

11 (g) "Election Officer" refers to the highest official or authorized
12 representative of the Commission in the city or municipality.

13 (h) "Reactivation" refers to the reinstatement of a registered voter who
14 had been deactivated from the Registration Records of Voters.

15 (i) "Registration Record" refers to the application for registration duly
16 approved by the Election Registration Board.

17 (j) "Validation" is the process of taking the biometrics such as
18 photograph, fingerprint and signature of a registered voter through the use of a
19 DCM.

20 SEC. 3. *Who Shall Submit for Validation.* -- Those registered voters as
21 of October 29, 2007 barangay elections and those who thereafter registered
22 and will register under Republic Act No. 8189 (otherwise known as "The
23 Voter's Registration Act of 1996") without biometrics data shall submit for
24 live capture his/her photograph, fingerprint and signature through the use of
25 DCM before the Election Officer of the city/municipality where he/she is a
26 registered voter or intends to register.

1 SEC. 4. *Who Shall Conduct the Validation.* – The City/Municipal
2 Election Officer, through the use of DCMs, shall conduct the validation
3 process by taking the biometrics of voters.

4 SEC. 5. *Period for Validation.* – Validation shall be conducted upon
5 the effectivity of this Act, consistent with the Continuing Registration Act.

6 SEC. 6. *Schedule of Validation/Registration.* – The Commission may
7 consider opening its offices nationwide on any given Saturday to accommodate
8 new registrants especially college students who are only free during the
9 weekends.

10 SEC. 7. *Notice.* – The City/Municipal Election Officer shall serve
11 individual written notices to the voters according to their latest address found
12 in the voter's registration record, notice by publication in five (5) newspapers
13 of general circulation and two (2) local papers in every city and province and
14 in some radio broadcast the statement about the need to register the voters.

15 SEC. 8. *Deactivation.* – Voters who failed to submit for validation on
16 or before the last day of filing of application for registration for purposes of the
17 2013 national and local elections, despite due notice, shall be deactivated from
18 the registration record of the voters by the Election Registration Board.

19 SEC. 9. *Reactivation.* – Those deactivated under the preceding section
20 may apply before the Election Registration Board for reactivation with
21 simultaneous validation and the applicant shall, if eligible, be included as a
22 matter of right in the Registration Record of Voters.

23 SEC. 10. *Use of Biometrics in the Voting Process.* – The Commission
24 shall establish a system wherein the electronic data generated by biometric
25 registration shall be available to Election Officers at the precinct level for them
26 to verify the identity of a voter.

27 SEC. 11. *Computerized Nationwide Voter Registration List*
28 *Requirements.* – The Commission shall implement, in a uniform and

1 nondiscriminatory manner, a single, official, centralized, interactive
2 computerized voter registration list defined, maintained and administered by
3 the Commission that contains the name and registration information of every
4 legally registered voter and assigns a unique identifier to each legally
5 registered voter and includes the following: (a) the computerized list shall
6 serve as the single system for storing and managing the official list of
7 registered voters throughout the country; (b) the computerized list contains the
8 name and registration information of every legally registered voter; (c) under
9 the computerized list a unique identifier is assigned to each legally registered
10 voter; (d) the computerized list shall be coordinated with other agency
11 databases; (e) any authorized election official, including any local election
12 official, may obtain immediate electronic access to the information contained
13 in the computerized list; and (f) all voter registration information obtained by
14 any local election official shall be electronically entered into the computerized
15 list on an expedited basis at the time the information is provided to the local
16 official.

17 SEC. 12. *Voters' List Cleansing.* – Any registered party may file with
18 the Commission the names of the voters which should be excluded, removed or
19 corrected from the computerized nationwide registration lists stating the
20 reasons thereof.

21 SEC. 13. *Database Security.* – The database generated by biometric
22 registration shall be secured by the Commission and shall not be used, under
23 any circumstance, for any other purpose other than for electoral exercises.

24 SEC. 14. *Prohibited Acts.* – The following shall be election offenses
25 punishable under Sections 263 and 264 of Batas Pambansa Bilang 881, as
26 amended (otherwise known as the “Omnibus Election Code”):

1 (a) Any person who shall prohibit, impede, obstruct or prevent a
2 registered voter from submitting his/her biometrics for data capture through the
3 use of force, intimidation or monetary consideration;

4 (b) Any public official or person who, under the guise of implementing
5 this Act, shall unjustifiably and without or lacking due process, cause the
6 deactivation or reactivation of any legitimate and bonafide registered voter
7 from the Registration Record of Voters;

8 (c) Any person who attempts to engage in double or multiple
9 registration for the purpose of voting in several precincts; and

10 (d) Any person who attempts to register in a polling place where he/she
11 is not a bonafide and registered resident.

12 SEC. 15. *Rules and Regulations.* – The Commission shall promulgate
13 the rules and regulations necessary to implement the provisions of this Act.

14 SEC. 16. *Separability Clause.* – If any part of this Act is held invalid or
15 unconstitutional, the other parts or provisions hereof shall remain valid and
16 effective.

17 SEC. 17. *Repealing Clause.* – All laws, decrees, executive orders, rules
18 and regulations inconsistent with this Act are hereby repealed or modified
19 accordingly.

20 SEC. 18. *Effectivity.* – This Act shall take effect fifteen (15) days after
21 its publication in at least two (2) newspapers of general circulation.

Approved,

O