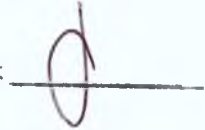


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



23 JAN -9 P4 :42

SENATE
S. No. 1642

RECEIVED BY: 

Introduced by Senator Jinggoy Ejercito Estrada

AN ACT
AMENDING REPUBLIC ACT NO. 10366, OTHERWISE KNOWN AS "AN ACT
AUTHORIZING THE COMMISSION ON ELECTIONS TO ESTABLISH
PRECINCTS ASSIGNED TO ACCESSIBLE POLLING PLACES EXCLUSIVELY
FOR PERSONS WITH DISABILITIES AND SENIOR CITIZENS"

EXPLANATORY NOTE

Article V of the Constitution provides that suffrage may be exercised by all citizens of the Philippines not otherwise disqualified by law. The same also instructs Congress to provide a system for securing the secrecy and sanctity of the ballot, and to design a procedure for the disabled and the illiterates to vote without the assistance of other persons.

Toward this end, Republic Act 10366 was enacted in 2013 which authorized the Commission on Elections (Comelec) to establish precincts assigned to accessible polling places exclusively for persons with disabilities (PWDs) and senior citizens. The said law ensures that PWDs and senior citizens are able to exercise their right to political participation without discrimination or restrictions.

Even with the existence of this law, many senior citizens were still disenfranchised come Election Day. In the 2019 elections, only three percent (3%) or 200,000 of the eight million senior citizen registered voters actually voted. The unfortunate low turnout for the sector underscores the importance and the urgency to strengthen the law ensuring accessibility of our polling places.

This proposed measure seeks to update RA 10366 with clearer language regarding the necessary infrastructure, additional features, and special venues of precincts in order to address the mobility, convenience and general accessibility concerns of our most vulnerable sectors. Ultimately, this legislation aims to protect every voter's constitutional right to suffrage and to promote a more inclusive participation in the important democratic exercise.

This bill was already approved on Third and Final Reading by the House of Representatives during the Eighteenth Congress. Hence, the passage of this bill is earnestly sought.




JINGGOY EJERCITO ESTRADA

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

1 Section 1. Section 2 (j) of Republic Act No. 10366 is hereby amended to read
2 as follows:

3 "Sec. 2. x x x

4 "x x x

5 "(j) Accessible polling place refers to the venue where the Board
6 of Election Inspectors (BEIs) conducts election-related proceedings and
7 where the voters cast their votes. The accessible polling place shall be
8 located at the ground floor, preferably near the entrance of the building,
9 **SHALL BE READILY ACCESSIBLE TO PUBLIC TRANSPORTATION,**
10 and [is] **SHALL BE** free of any physical barriers and provided with
11 necessary **INFRASTRUCTURE AND** services, including assistive
12 devices[.], **RAMPS, RAILINGS, SIDEWALKS, ADEQUATE**
13 **LIGHTING, VENTILATION AND OTHER FEATURES FOR PERSONS**
14 **WITH DISABILITIES AND SENIOR CITIZENS."**

15 Sec. 2. Section 9 of Republic Act No. 10366 is hereby amended to read as
16 follows:

1 “Sec. 9. ~~[Creation of]~~ *Precincts for Persons with Disabilities and*
2 *Senior Citizens.* – The Commission is hereby authorized to [establish]
3 **DESIGNATE** precincts ~~[of a nonterritorial nature, exclusively for]~~ **IN**
4 **ACCESSIBLE POLLING PLACES FOR THE EXCLUSIVE USE OF**
5 persons with disabilities and senior citizens, ~~[who in their registration~~
6 ~~records manifest their intent to avail of their right to a separate precinct~~
7 ~~under this section. Pursuant hereto, the Commission shall establish at~~
8 ~~least one (1) such precinct, assigned to accessible polling places for~~
9 ~~every voting center.]~~ **SUCH AS IN PUBLIC SCHOOLS, TOWN HALLS**
10 **OR PLAZAS, CIVIC CENTERS, COMMUNITY CENTERS OR OTHER**
11 **SIMILARLY DESIGNATED SPECIAL VENUES OR AREAS, AND**
12 **PREFERABLY THOSE DESIGNED WITH SPECIAL FEATURES, TO**
13 **ENSURE THEIR SAFETY AND COMFORT.** Such precincts shall be
14 provided with assistive devices **PURSUANT TO THE PROVISIONS OF**
15 **SECTION 2 (J) OF THIS ACT** as well as the services of experts in
16 assisting persons with disabilities.”

17 *Sec. 3. Implementing Rules and Regulations.* – Within sixty (60) days from its
18 effectivity, the Commission, in consultation with other relevant government
19 agencies, non-governmental organizations, and civil society organizations, shall
20 promulgate the rules and regulations for the implementation of this Act.

21 *Sec. 4. Separability Clause.* – If any provision of this Act is declared invalid or
22 unconstitutional, the remaining provision not affected thereby shall continue to be in
23 full force and effect.

24 *Sec. 5. Repealing Clause.* – All laws, decrees, orders or regulations or part
25 thereof inconsistent with this Act are hereby repealed or modified accordingly.

26 *Sec. 6. Effectivity.* – This Act shall take effect fifteen (15) days following the
27 completion of its publication in the *Official Gazette* or in a national newspaper of
28 general circulation.

Approved,