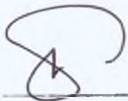


**NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )**



23 MAY -8 P3:19

**SENATE**

RECEIVED BY: 

**S. B. NO. 2139**

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Introduced by **SENATOR JOEL VILLANUEVA**

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**AN ACT  
ENHANCING VOTING ACCESSIBILITY FOR SENIOR CITIZENS,  
PERSONS WITH DISABILITIES, AND PREGNANT WOMEN,  
AMENDING FOR THE PURPOSE 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,” PROVIDING  
FUNDS THEREFOR, AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

The 1987 Constitution guarantees the right of suffrage of all citizens, excluding those disqualified by law.<sup>1</sup> Likewise, the Constitution and various laws recognize that certain groups, such as persons with disability (PWDs) have special circumstances that need to be addressed in order to allow them to fully exercise their right.

For the past twenty (20) years, there has been a considerable increase in the turnout of voters in Philippine elections, starting from a 75.46% voter turnout in 1992 to 84.20% in the recent 2022 National and Local Elections.<sup>2</sup> The statistics on the recent elections was second only to the 1998 turnout, which was recorded at 86.39%.<sup>3</sup>

Nonetheless, the turnout for the 2022 National and Local Elections of 84.20% still translates to around 10.4 million registered voters who were unable to vote on election day.<sup>4</sup>

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<sup>1</sup> Article V, Sections 1-2 of the 1987 Constitution.

<sup>2</sup> COMELEC Comparative Statistics on Total Number of Registered Voters, total No. of Voters who Actually Voted, and Voters' Turn-out (%) from 1992 to 2022 National and Local Elections. Available at [https://comelec.gov.ph/php-tpls-attachments/2022NLE/Statistics/Comperative Stats 1992 2002 NLE.pdf](https://comelec.gov.ph/php-tpls-attachments/2022NLE/Statistics/Comperative%20Stats%201992%202002%20NLE.pdf) (date last accessed: February 18, 2023).

<sup>3</sup> Id.

<sup>4</sup> Id.

Progress has been made in increasing participation in the elections, but more efforts can be exerted by the State to further expand and enhance the accessibility of voting precincts to more voters, particularly, senior citizens, PWDs and pregnant women.

Thus, in line with the mandate under the 1987 Constitution, the present measure aims to enhance existing mechanisms that promote accessible voting for PWDs and senior citizens. Furthermore, the measure extends such mechanisms for the benefit of pregnant voters.

The bill provides general principles for the implementation of the measure, including: (i) Granting reasonable accommodation to covered voters in order that they may fully exercise their right of suffrage; (ii) Respecting the right to ballot secrecy of voters; (iii) Enforcing the right of voters to be assisted by a person of their own choice; and (iv) Highlighting the role of the private sector in expanding the accessibility of electoral processes.

The bill will allow early voting for senior citizens, PWDs and pregnant voters for a period of not less than two (2) days within thirty (30) calendar days before election day at accessible establishments designated by the Commission. Additionally, on election day, Emergency Accessible Polling Places (EAPPs) and Satellite EAPPs can be created to allow more persons to exercise their right of suffrage.

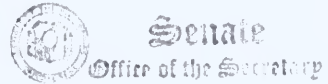
In either designs, emphasis is placed on ensuring that accessibility features and other forms of assistance will be made available to senior citizens, PWDs, and pregnant voters.

Lastly, to promote a more proactive stance in enhancing accessibility of voting centers, the COMELEC, in partnership with relevant stakeholders, shall undertake accessibility audits after the conduct of elections, and provide recommendations to improve infrastructure and other accessibility issues in order to address the same in future elections.

Thus, in view of the foregoing, the immediate passage of this bill is earnestly sought.

  
**JOEL VILLANUEVA**

NINETEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
First Regular Session



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**AN ACT**  
**ENHANCING VOTING ACCESSIBILITY FOR SENIOR CITIZENS,**  
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**COMMISSION ON ELECTIONS TO ESTABLISH PRECINCTS**  
**ASSIGNED TO ACCESSIBLE POLLING PLACES EXCLUSIVELY**  
**FOR PERSONS WITH DISABILITIES AND SENIOR CITIZENS,"**  
**PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

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

1           **SECTION 1. Short Title.** – This Act shall be known as the “Enhanced Voting  
2 Accessibility Act”.

3  
4           **SEC. 2. Declaration of Policy.** – The State shall ensure that senior citizens,  
5 persons with disabilities (PWDs), and pregnant women are able to exercise their  
6 right to political participation without restrictions. The State shall devise systems and  
7 procedures that will enhance accessibility in their voting process.

8  
9           **SEC. 3. General Principles.** – The following shall serve as guidance in the  
10 implementation of this Act:

11  
12           (a) The Commission shall ensure that the voting procedures, including the  
13 facilities and materials, are appropriate, accessible, and easy to  
14 understand and use, and that reasonable accommodation shall be granted  
15 to senior citizens, PWDs, and pregnant women voters in order that they  
16 may fully exercise their right of suffrage;

17  
18           (b) The right to ballot secrecy of senior citizens, PWDs and pregnant voters

1 shall be respected at all times;

- 2
- 3 (c) The right of senior citizens and PWDs to be assisted by a person of their  
4 own choice shall be enforced and protected;
- 5
- 6 (d) The consent of senior citizens, PWDs, or pregnant voters during the  
7 registration period prior to election day is not required for the purpose of  
8 availing the privilege of voting under this Act; and  
9
- 10 (e) The role of non-partisan groups and organizations of senior citizens and  
11 PWDs, other concerned agencies, and civil society organizations in the  
12 implementation of the Act is indispensable.

13

14 **SEC 4. Definition of Terms.** — As used in this Act, the term:

- 15
- 16 (a) **Commission** refers to the Commission on Elections;
- 17
- 18 (b) **Senior Citizens** refer to qualified voters who are sixty (60) years or older;
- 19
- 20 (c) **Persons with disabilities** or **PWDs** refer to qualified voters who have  
21 long term physical, mental, intellectual, or sensory impairments which, in  
22 interaction with various barriers, may hinder their full and effective  
23 participation in the electoral processes on an equal basis with others;  
24
- 25 (d) **Pregnant women** refer to qualified voters who are at least six (6) months  
26 pregnant at the time of the period for early voting and during election day;  
27 and  
28
- 29 (e) **Reasonable Accommodation** refers to necessary and appropriate  
30 modifications and adjustments not imposing a disproportionate or undue  
31 burden, where needed in a particular case, to ensure that PWDs, senior  
32 citizens, and pregnant women enjoy the exercise of their human rights and  
33 fundamental freedoms on an equal basis with others.  
34

35 **SEC. 5. Early Voting.** — For national and local elections, there shall be early  
36 voting where senior citizens, PWDs, and pregnant women qualified to vote early may  
37 choose to cast their ballot for a period of not less than two (2) days within thirty (30)  
38 calendar days before election day at accessible establishments designated by the  
39 Commission.  
40

41 For this purpose, accessible establishments shall be located at the ground  
42 floor, preferably near the entrance of a building, shall be readily accessible to public  
43 transportation, and shall be free of any physical barriers, and provided with  
44 necessary infrastructure and disability support services, including assistive devices,  
45 transport wheelchairs, ramps, railings, sidewalk, adequate lighting, ventilation, and  
46 other features for the senior citizens, PWDs, and pregnant women.  
47

48 Aside from structural accessibility, the Commission shall provide live  
49 assistance for PWDs, such as sign language interpreters and other forms of  
50 assistance.

1  
2 There shall be a nationwide registration of senior citizens, PWDs, and  
3 pregnant women who may wish to avail of their early voting privileges to qualify them  
4 for early voting. Only those who are not registered under the early voting system  
5 shall vote on election day.  
6

7 **SEC 6. Emergency Accessible Polling Places (EAPP).** – During election  
8 day, the Commission shall designate a room or a makeshift or temporary polling  
9 place established at the ground of a voting center or outside of it but in close  
10 proximity thereto, where senior citizens, PWDs, and pregnant women voters may  
11 vote on election day.  
12

13 Satellite EAPPs can also be temporarily established in a building used as a  
14 home or residence of PWDs and/or senior citizens, including rehabilitation centers  
15 and sheltered workshops where said PWDs and/or senior citizens are living or  
16 outside thereof but in close proximity thereto, whether administered by the  
17 government or a private institution.  
18

19 The Commission shall ensure that the voting procedure in the EAPP,  
20 including the facilities, materials, and a voting machine in the event of automated  
21 elections, are adequate, appropriate, accessible, and easy to understand and use,  
22 and that reasonable accommodation shall be granted to PWDs, senior citizens, and  
23 pregnant women in order that they may fully exercise their right of suffrage. The  
24 Commission shall provide live assistance for PWDs such as sign language  
25 interpreters, and other forms of assistance.  
26

27 **SEC. 7.** Section 2(j) of Republic Act No. 10366 is hereby amended to read as  
28 follows:  
29

30 “SEC. 2. *Definition of Terms.* – x x x  
31

32 (a) x x x  
33

34 x x x  
35

36 (j) *Accessible polling place* refers to the venue where the Board of  
37 Election Inspectors (BEIs) conducts election related proceedings and  
38 where the voters cast their votes. The accessible polling place shall be  
39 located at the ground floor, preferably near the entrance of the building,  
40 **SHALL BE READILY ACCESSIBLE TO PUBLIC**  
41 **TRANSPORTATION,** and [is] **SHALL BE** free of any physical barriers  
42 and provided with necessary **INFRASTRUCTURE AND** services,  
43 including assistive devices, **TRANSPORT WHEELCHAIRS, RAMPS,**  
44 **RAILINGS, SIDEWALKS, ADEQUATE LIGHTING, VENTILATION,**  
45 **AND OTHER FEATURES FOR PERSONS WITH DISABILITIES AND**  
46 **SENIOR CITIZENS.”**  
47

48 **SEC. 8.** Section 9 of Republic Act No. 10366 is hereby amended to read as  
49 follows:  
50

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,~~] **IN ACCESSIBLE**  
4 **POLLING PLACES FOR THE** exclusive[ly for] **USE OF** persons with  
5 disabilities and senior citizens [~~who in their registration records~~  
6 ~~manifest their intent to avail of their right to a separate precinct under~~  
7 ~~this section. Pursuant hereto, the commission shall establish at least~~  
8 ~~one (1) such precinct, assigned to accessible polling places, for every~~  
9 ~~voting center.], **SUCH AS IN PUBLIC SCHOOLS, TOWN HALLS OR**  
10 **PLAZAS, CIVIC CENTERS, COMMUNITY CENTERS, OR OTHER**  
11 **SIMILARLY DESIGNATED SPECIAL VENUES OR AREAS, WITH**  
12 **PREFERENCE FOR VENUES DESIGNED WITH SPECIAL**  
13 **FEATURES TO ENSURE THEIR SAFETY AND COMFORT.** Such  
14 precincts shall be provided with assistive devices **PURSUANT TO THE**  
15 **PROVISIONS OF SECTION 2(J) OF THIS ACT** as well as the  
16 services of experts in assisting persons with disabilities, **SUCH AS**  
17 **SIGN LANGUAGE INTERPRETERS.”**~~

18  
19 **SEC. 9. Accessibility Audit.** – The Commission, in partnership with relevant  
20 government agencies and private stakeholders, shall undertake accessibility audits  
21 of voting centers after the conduct of each election to determine the issues that need  
22 to be addressed regarding infrastructure and other accessibility issues, with the aim  
23 of increasing participation of voters with special circumstances.

24  
25 The Commission shall report the findings of the audit to the President of the  
26 Philippines, the Senate of the Philippines and the House of Representatives at least  
27 one (1) year before the next scheduled elections.

28  
29 **SEC. 10. Implementing Rules and Regulations.** — Within sixty (60) days  
30 from the effectivity of this Act, the Commission shall, in consultation with other  
31 relevant government agencies, non-governmental organizations, and civil society  
32 organizations, promulgate the necessary rules and regulations for the proper  
33 implementation of this Act.

34  
35 **SEC. 11. Appropriations.** — The amounts necessary for the implementation  
36 of this Act shall be sourced from the current appropriations of the Commission, and  
37 thereafter, it shall be included in the annual General Appropriations Act.

38  
39 **SEC. 12. Separability Clause.** — Should any provision of this Act or part  
40 hereof be declared unconstitutional, the other provisions or parts not affected  
41 thereby shall remain valid and effective.

42  
43 **SEC. 13. Repealing Clause.** – All laws, decrees, orders, and issuances, or  
44 portions thereof, which are inconsistent with the provisions of this Act, are hereby  
45 repealed, amended, or modified accordingly.

46  
47 **SEC. 14. Effectivity.** – This Act shall take effect fifteen (15) days after its  
48 complete publication in the Official Gazette or in a newspaper of general circulation.

49  
50 *Approved,*