

REPUBLIC OF THE PHILIPPINES  
HOUSE OF REPRESENTATIVES  
QUEZON CITY

FIFTEENTH CONGRESS  
SECOND REGULAR SESSION

H.B. No. 3609

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Introduced by **HON. AL FRANCIS C. BICHARA**

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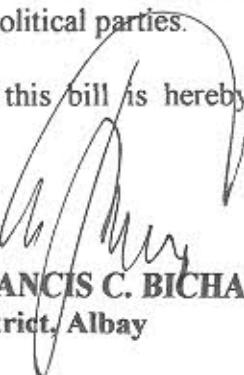
**EXPLANATORY NOTE**

The herewith attached bill seeks to amend the Batas Pambansa Bilang 881, otherwise known as the Omnibus Election Code. In particular, it aims to impose upon candidates to any elective office including political parties an obligation of removing and/or disposing of lawful election propaganda after the expiration of election campaign period.

This bill takes into account the fact that immediately after every election, public buildings, bridges, walls and other infrastructures, including those privately owned structures are covered and littered with volumes of campaign propaganda materials. These materials add to the voluminous garbage to be disposed by the government thereby incurring additional government expense, not to mention the fact that it debases the integrity of government infrastructures. In order therefore to lessen the expense of the government for collecting and disposing of these garbage and to maintain the cleanliness of public buildings, walls and bridges after the campaign period, it becomes obligatory for the candidates and political parties be required to remove their own campaign propaganda materials.

In order that the purpose of this bill may be achieved, the candidates seeking elective office shall likewise be required to post a bond. Should the candidates fail to remove their respective campaign propaganda materials within the prescribed period, the removal shall be undertaken by the Commission on Elections. The expenses to be incurred by the COMELEC in removing such campaign propaganda materials shall be charged against the bond required to be posted by candidates and/or political parties, provided that proper accounting be made by the COMELEC. Should there be any excess, the same shall be returned to the candidates and/or political parties.

Towards this end, immediate approval of this bill is hereby respectfully and earnestly sought.

  
**AL FRANCIS C. BICHARA**  
2<sup>nd</sup> District, Albay

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**AN ACT IMPOSING UPON CANDIDATES AND POLITICAL PARTIES THE OBLIGATION OF REMOVING THEIR RESPECTIVE LAWFUL ELECTION CAMPAIGN PROPAGANDA AND OTHER MATERIALS AFTER CAMPAIGN PERIOD AND REQUIRING THEM TO POST A BOND TO THIS EFFECT, AND FOR OTHER PURPOSES.**

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

**Section 1.** Section 82 of Batas Pambansa Blg. 881, otherwise known as the Omnibus Election Code, is hereby amended by adding the following provisions, to be read as follows:

“Section 82. Lawful Election propaganda. – Lawful election propaganda shall include:

- (a)
- (b)
- (c)
- (d)

*PROVIDED HOWEVER THAT IT SHALL BE THE DUTY OF EVERY CANDIDATE AND POLITICAL PARTIES TO REMOVE THEIR RESPECTIVE LAWFUL ELECTION PROPAGANDA MATERIALS IMMEDIATELY AFTER THE EXPIRATION OF THE CAMPAIGN PERIOD SET FORTH BY LAW.”*

**Section 2.** The same law is hereby amended by adding a new section which shall be read as follows:

*“SECTION 82-A. BOND; REQUIREMENT FOR IN ORDER TO INSURE THAT THE LAWFUL ELECTION PROPAGANDA MATERIALS ENUMERATED IN THE IMMEDIATELY PRECEEDING SECTION BE PROPERLY REMOVED AFTER CAMPAIGN PERIOD, EVERY CANDIDATE AND/OR POLITICAL PARTIES SHALL BE REQUIRED TO PUT UP A BOND, CASH OR SURETY, IN SUCH AMOUNT AS THE COMMISSION ON ELECTIONS MAY PRESCRIBE THROUGH APPROPROATE RULES AND REGULATIONS. SHOULD THE CANDIDATE AND/OR POLITICAL PARTIES FAIL TO REMOVE THEIR CAMPAIGN PROPAGANDA MATERIALS, THE COMELEC SHALL BE CHARGED AGAINST THE BOND TO BE POSTED BY THE CANDIDATES.”*

**Section 3.** The same law is hereby amended by adding a new section which shall read as follows:

*“SECTION 82-B. AUTHORITY OF THE COMELEC TO PROMULGATE RULES; COMMISSION ON ELECTIONS OFFENSE. THE COMMISSION ON ELECTIONS SHALL PROMULGATE APPROPRIATE RULES AND*

*REGULATIONS IMPLEMENTING THE PROVISIONS OF THIS ACT,  
FURNISHING COPIES WHICH ALL POLITICAL PARTIES AND  
CANDIDATES.*

*VIOLATIONS OF THIS ACT AND THE RULES AND REGULATIONS  
ISSUED BY THE COMMISSION ON ELECTIONS IMPLEMENTING THIS ACT  
SHALL BE PUNISHABLE AS AN ELECTION OFFENSE UNDER THE FIRST  
PARAGRAPH OF SECTION 264 OF THE OMNIBUS ELECTION CODE."*

**Provided That** with the introduction of the two (2) new sections, Batas Pambansa Blg. 881, otherwise known as the Omnibus Election is hereby renumbered accordingly.

**Section 4. Repealing clause.** All Acts or part of Acts, Executive Orders and their implementing rules inconsistent with the provision of this Act hereby repealed, amended or modified accordingly.

**Section 5. Separability clause.** If any provision of this Act is declared invalid, the remainder of this Act or any provision not affected thereby shall remain in force and in effect.

**Section 6. Effectivity clause.** This Act takes effect fifteen (15) days after its complete publication in the Official Gazette or in two (2) newspapers of general circulation, whichever comes earlier.

Approved.