



REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES

Quezon City, Metro Manila

FIFTEENTH CONGRESS
Second Regular Session

COMMITTEE REPORT NO. 1507

Submitted by the Committee on Suffrage and Electoral Reforms
on 16 NOV 2011

Re : House Bill No. 5482

Recommending Its Approval In Substitution Of HB No. 2877

Sponsors : Representatives Elpidio F. Barzaga, Jr. and
Joseph Victor G. Ejercito

Mr. Speaker:

The Committee on Suffrage and Electoral Reforms, to which was referred House Bill No. 2877 introduced by the Hon. Joseph Victor G. Ejercito, entitled:

"AN ACT
DECLARING AN ELECTIVE OFFICIAL
IPSO FACTO RESIGNED FROM HIS OFFICE
UPON THE FILING OF
HIS CERTIFICATE OF CANDIDACY"

has considered the same and recommends that the attached House Bill No. 5482 entitled:

"AN ACT
DECLARING AN ELECTIVE OFFICIAL IPSO FACTO RESIGNED FROM HIS
OFFICE UPON THE FILING OF THE CERTIFICATE OF CANDIDACY FOR
ANOTHER ELECTIVE POSITION, AMENDING FOR THE PURPOSE BATAS
PAMBANSA (BP) BILANG 881, OTHERWISE KNOWN AS THE "OMNIBUS
ELECTION CODE OF THE PHILIPPINES," AS AMENDED"

be approved in substitution of House Bill No. 2877 with the Hon. Joseph Victor G. Ejercito as the author thereof.

Respectfully submitted:

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HON. ELPIDIO F. BARZAGA, JR.
Chairman
Committee on Suffrage and Electoral
Reforms

Fifteenth Congress
Second Regular Session

HOUSE BILL NO. 5482

Introduced by Honorable Joseph Victor G. Ejercito

AN ACT

DECLARING AN ELECTIVE OFFICIAL IPSO FACTO RESIGNED FROM HIS OFFICE UPON THE FILING OF THE CERTIFICATE OF CANDIDACY FOR ANOTHER ELECTIVE POSITION, AMENDING FOR THE PURPOSE BATAS PAMBANSA (BP) BILANG 881, OTHERWISE KNOWN AS THE "OMNIBUS ELECTION CODE OF THE PHILIPPINES," AS AMENDED

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

1 SECTION 1. Section 67 of Batas Pambansa (BP) Bilang 881, as previously
2 repealed by Section 14 of Republic Act No. 9006, otherwise known as the "*Fair*
3 *Election Act*," is hereby reinstated to read as follows:

4 "SECTION 67. CANDIDATES HOLDING ELECTIVE
5 OFFICE. – ANY ELECTIVE OFFICIAL WHETHER NATIONAL
6 OR LOCAL, RUNNING FOR ANY PUBLIC OFFICE OTHER
7 THAN THAT WHICH THE ELECTIVE OFFICIAL IS HOLDING
8 IN A PERMANENT CAPACITY SHALL BE CONSIDERED IPSO

FACTO RESIGNED FROM THE OFFICE UPON THE FILING OF
THE CERTIFICATE OF CANDIDACY.

SEC. 2. *Repealing Clause.* – Pertinent provision of Section 14 of Republic
Act No. 9006, otherwise known as the “*Fair Election Act*,” which repealed
Section 67 of the Omnibus Election Code (*Batas Pambansa Blg. 881*) is hereby
repealed. All other laws, decrees, executive orders, rules and regulations or parts
thereof inconsistent with the provisions of this Act are hereby repealed or modified
accordingly.

SEC. 3. *Separability Clause.* – If, for any reason, any part or provision of
this Act is declared invalid or unconstitutional, the remaining parts or provisions
not affected thereby shall remain in full force and effect.

SEC. 4. *Effectivity.* – This Act shall take effect fifteen (15) days after its
publication in the Official Gazette or in two (2) national newspapers of general
circulation.

Approved,

FACT SHEET

House Bill No. 5482
(In substitution of HB No. 2877)

AN ACT
DECLARING AN ELECTIVE OFFICIAL *IPSO FACTO* RESIGNED FROM HIS OFFICE
UPON THE FILING OF THE CERTIFICATE OF CANDIDACY FOR ANOTHER
ELECTIVE POSITION, AMENDING FOR THE PURPOSE BATAS PAMBANSA (BP)
BILANG 881, OTHERWISE KNOWN AS THE "OMNIBUS ELECTION CODE OF THE
PHILIPPINES," AS AMENDED

Introduced by: HON. JOSEPH VICTOR G. EJERCITO

Committee Referral: Committee on Suffrage and Electoral Reforms
Committee Chairperson: HON. ELPIDIO F. BARZAGA, JR.

OBJECTIVE:

- To correct the faulty public policy which allows any public official to run for any public office other than the one he is holding, without the risk of losing said office in case the official loses in the election.

KEY PROVISION:

- ~~Reinstating~~ ^{Reinstates} Section 67 of Batas Pambansa Bilang 881 which states that any elective official, whether national or local, running for any public office other than the one which he is holding in a permanent capacity, except for President and Vice-President shall be considered *ipso facto* resigned from his office upon the filing of the certificate of candidacy.

RELATED LAWS:

- Section 67 of Batas Pambansa Bilang 881
- Republic Act No. 9006 (Fair Elections Practices Act)