

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

16<sup>th</sup> CONGRESS  
Second Regular Session

**HOUSE BILL NO. 5119**



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Introduced by **REP. EVELINA G. ESCUDERO**

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**EXPLANATORY NOTE**

This bill seeks to provide for the disqualification of any person who has been defeated in three (3) consecutive elections for the same public office running for the same office in the next local or national elections.

Section 68 of Batas Pambansa Blg. 881, otherwise known as the Omnibus Election Code, provides for the disqualification of any of the following persons in filing their certificate of candidacy: a) those declared as incompetent or insane of by competent authority; b) those sentenced by final judgment for subversion, insurrection, rebellion or any offense for which he has been sentenced to a penalty of more than 18 months imprisonment; c) those sentenced by final judgment for a crime involving moral turpitude; and those immigrants to a foreign country. Thus, any person who possesses the minimum qualifications and one of the above-cited disqualifications may run for public office.

This bill seeks to provide additional disqualification by not allowing a person who has been defeated for three consecutive elections from running again for the same public office. To lose in three consecutive elections is clear proof of the people's repudiation of the candidate who intends to occupy the position. It would therefore be a waste of time and public resources to include in the ballot for a fourth consecutive time the name of a candidate who had already been clearly repudiated three times by the electorate.

In view of the forgoing, approval of this bill is highly recommended.

  
**REP. EVELINA G. ESCUDERO**

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**AN ACT**  
**DISQUALIFYING ANY PERSON WHO HAS BEEN DEFEATED IN THREE**  
**CONSECUTIVE ELECTIONS FROM RUNNING FOR THE SAME PUBLIC OFFICE,**  
**AMENDING FOR THE PURPOSE BATAS PAMBANSA BLG. 881, OTHERWISE**  
**KNOWN AS THE OMNIBUS ELECTION CODE OF THE PHILIPPINES**

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

SECTION 1. Section 68 of Batas Pambansa Blg. 881, otherwise known as the "*Omnibus Election Code of the Philippines*", is hereby amended by adding a new paragraph to read as follows:

"Sec. 68. Disqualifications. – Any candidate who, in an action or protest in which he is a party is declared by final decision of a competent court guilty of, or found by the Commission of having (a) given money or other material consideration to influence, induce or corrupt the voters or public officials performing electoral functions; (b) committed acts of terrorism to enhance his candidacy; (c) spent in his election campaign an amount in excess of that allowed by this Code; (d) solicited received or made any contribution prohibited under Sections 89, 95, 96, 97 and 104; (e) violated any of Sections 80, 83, 85, 86 and 261, paragraph d, e, k, v and cc, sub-paragraph 6, shall be disqualified from continuing as a candidate, or if he has been elected, from holding the office. Any person who is a permanent resident of or an immigrant to a foreign country shall not be qualified to run for any elective office under this Code, unless said person has waived his status as permanent resident or immigrant of a foreign country in accordance with the residence requirement provided for in the election laws.

IN ADDITION, ANY PERSON WHO HAS BEEN DEFEATED  
IN THREE CONSECUTIVE ELECTIONS SHALL NOT BE QUALI-  
FIED TO RUN FOR THE SAME PUBLIC OFFICE IN THE NEXT  
LOCAL OR NATIONAL ELECTION.

SEC. 2. This Act shall take effect fifteen (15) days after its publication in at least two (2)  
national newspapers or general circulation.

Apprpoved,