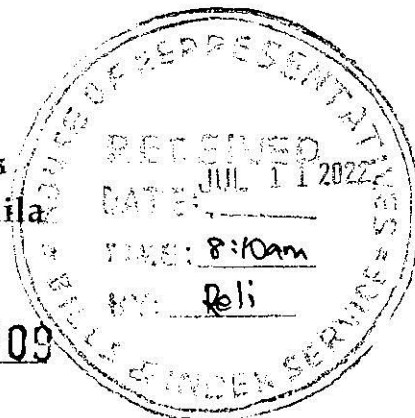


Republic of the Philippines
House of Representatives
Quezon City, Metro Manila
Nineteenth Congress
First Regular Session
HOUSE BILL NO. 1709



Introduced by Rep. Anthony R.T. Golez Jr. MD, MBAH

EXPLANATORY NOTE

Abraham Lincoln stated that: "The ballot is stronger than the bullet." The right to suffrage is so important that it has its own article in our Constitution. However, the various reports showing rampant vote-buying in the recent elections have diminished the significance of the right to suffrage.

The Consitution also declared it as a policy of the State to "*maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption.*" The said policy cannot be fully concretized when vote-buying during elections will continue and be tolerated, by both citizens and public officials. As such, this representation deems it proper to classify vote-buying as a heinous crime, punishable by reclusion perpetua.

This representation believes that elections is the most important ingredient in nation-building, therefore, the sanctity of the Filipino vote must be ensured. It is about time for the People to stop turning a blind eye on vote-buying. Vote-buying during elections should be rejected with extreme repugnance. The current law and penalty against vote-buying is clearly not enough to deter vote-buying.

The passage of a special penal law declaring vote-buying as a heinous crime will send a strong message to the electorate, and the would-be elected officials, that Filipinos have had enough of vote-buying during elections.

It is respectfully prayed that the approval of the proposed law declaring vote-buying a heinous crime, punishable by reclusion perpetua, be immediately made.

HON. ANTHONY R.T. GOLEZ JR. MD, MBAH
Malasakit at Bayanihan Party List

Republic of the Philippines
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HOUSE BILL NO. 1709

Introduced by **Rep. Anthony R.T. Golez Jr. MD, MBAH**

**AN ACT DEFINING AND DECLARING VOTE-BUYING AS A HEINOUS
CRIME, PRESCRIBING PENALTIES THEREFOR, AND FOR OTHER
PURPOSES**

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

Section 1. Title. This Act shall be known as "*Vote-Buying is a Heinous Crime Act.*"

Section 2. Declaration of Policy. The State declares that the sanctity of the Filipino vote is of utmost importance. The State will exercise no tolerance with acts that will diminish the sanctity of the Filipino vote. The State hereby declares and defines vote-buying as a heinous crime.

Section 3. Definition of Terms:

- a. Vote-Buying – shall refer to giving and offering money or anything of value, including the promise of employment in any office, and granting of a public or private contract, in exchange for votes during elections.
- b. Vote-Selling – shall refer to soliciting money or anything of value, including asking for employment in any office and receiving benefit in a public or private contract, in exchange for votes during elections.
- c. Buyer – shall refer to a person running for public office who gives or offers anything of value, including the promise of employment in any office, and granting of a public or private contract, in exchange for votes during elections.
- d. Seller – shall refer to a person who accepts money or anything of value, including the promise of employment in any office, and granting of a public or private contract, in exchange for his or her vote in an election.
- e. Solicitor – shall refer to a person who gives or offers money or anything of value, including the promise of employment in any office,

and the granting of a public or private contract, in exchange for voting the candidate he or she is endorsing in an election.

- f. Political Party – shall refer to a national, regional, local political party registered with the Commission on Elections. It shall also refer to a partylist.
- g. Political Group – shall refer to an organization, association, or any group composed of individuals who promote an individual or a political party to be voted in an election.

Section 4. *Vote-Buying and Related Offenses*

- a. Giving and offering money or anything of value, including the promise of employment in any office, and granting of a public or private contract, in exchange for votes during elections by a buyer or political party.
- b. Giving or offering money or anything of value, including the promise of employment in any office, and the granting of a public or private contract, in exchange for voting the candidate he or she is endorsing in an election by a solicitor, political party, or political organization.
- c. Accepting money or anything of value, including the promise of employment in any office, and granting of a public or private contract, in exchange for his or her vote for a candidate or candidates in an election.

Section 5. *Jurisdiction of Vote-Buying Offenses.* The Regional Trial Courts shall have jurisdiction over vote-buying offenses.

Section 6. *Prosecution of Vote-Buying Offenses.* The prosecution of vote-buying offenses shall take precedence over all other cases and must be disposed with urgency. The chairman, president, head, or leader of a political party or political organization shall be presumed to be part of the acts punishable under this act. Within ninety (90) days after the effectivity of this Act, the Supreme Court, in coordination with the Commission on Elections and Department of Justice, shall formulate a special set of rules for the swift and proper prosecution of offenses hereunder.

Section 7. *Penal Provisions.*

- a. The penalty of imprisonment for twenty (20) years to forty (40) years, fine of not less than five million pesos (P5,000,000.00), and perpetual disqualification from holding public office shall be imposed upon any person convicted under Section 4(a) of this Act.
- b. The penalty of imprisonment for twelve (12) years to twenty (20) years, fine of not less than three million pesos (P3,000,000.00), and perpetual disqualification from holding public office shall be imposed upon any person convicted under Section 4(b) of this Act.

- c. The penalty of imprisonment for one (1) year to six (6) years, fine of not less than one hundred thousand pesos (P100,000.00), and perpetual disqualification from holding public office shall be imposed upon any person convicted under Section 4(c) of this Act.
- d. All persons under this Act shall no longer be allowed to be a member or part of a political party or partylist registering or seeking accreditation from the Commission on Elections and/or Securities Exchange Commission.

Section 8. *Separability Clause.* If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

Section 9. *Repealing Clause.* All laws, decrees, executive orders, rules and regulations or parts thereof, as are inconsistent with this Act, are hereby repealed, amended or modified accordingly.

Section 10. *Effectivity.* This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,