

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 710



Introduced by **REP. JAVIER MIGUEL L. BENITEZ**

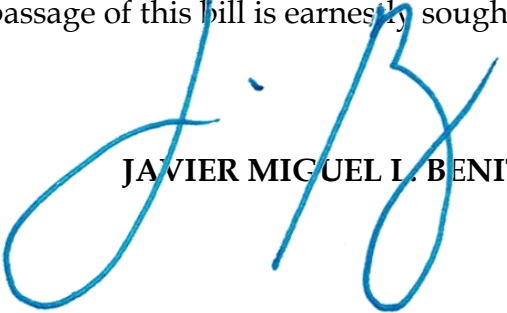
EXPLANATORY NOTE

The 1987 Constitution mandates the State to ensure that sovereignty resides in the people and that all government authority emanates from them¹. This bill seeks to amend Section 240 of Batas Pambansa Blg. 881, otherwise known as the Omnibus Election Code of the Philippines, by removing the provision that resolves electoral ties through the drawing of lots and instead requiring the conduct of a special runoff election among the tied candidates.

Allowing the outcome of an electoral tie to be determined by random chance undermines the democratic nature of public office and deprives the electorate of the opportunity to make an informed and deliberate choice. This bill affirms that the authority to govern must always be derived through the expressed will of the people, not by an arbitrary method of selection.

The proposed amendment enhances the legitimacy of electoral results and strengthens the credibility of democratic institutions. It aligns with international norms on electoral integrity, which discourage the use of chance in resolving electoral outcomes and promote mechanisms that ensure the vote remains the sole source of political authority².

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


JAVIER MIGUEL L. BENITEZ

¹ 1987 Constitution, Article II, Section 1

² International Institute for Democracy and Electoral Assistance (IDEA), Electoral System Design: The New International IDEA Handbook (2005); United Nations Human Rights Committee, General Comment No. 25, CCPR/C/21/Rev.1/Add.7 (1996), para. 20.

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AN ACT AMENDING SECTION 240 OF BATAS PAMBANSA BLG. 881, OTHERWISE KNOWN AS THE “OMNIBUS ELECTION CODE OF THE PHILIPPINES,” PROVIDING FOR A SPECIAL RUNOFF ELECTION IN CASE OF ELECTORAL TIES, AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* – This Act shall be known as the “Runoff Election Act of 2025”.

SEC 2. *Declaration of Policy.* – It is the policy of the State to uphold the sovereign will of the electorate through electoral processes that reflect a clear mandate. In case of an electoral tie, the determination of the winning candidate shall be based on a renewed vote by the people, and not on any method of chance.

SEC. 3. *Amendment of Section 240.* – Section 240 of Batas Pambansa Blg. 881 is hereby amended to read as follows:

“Section 240. Election Resulting in a Tie. – If two or more candidates receive an equal and highest number of votes for the same position, the Commission on Elections shall conduct a runoff election exclusively among the tied candidates.

The runoff election shall be held not later than thirty (30) calendar days from the official declaration of the tie by the Board of Canvassers. Only the tied candidates shall appear on the official ballots.

The candidate who obtains the highest number of valid votes cast in the runoff election shall be proclaimed the winner.

No drawing of lots, coin toss, or other method of chance shall be used to resolve an electoral tie.”

SEC. 4. *Transition Provisions.* – In case of an electoral tie pending final resolution as of the effectivity of this Act, and no drawing of lots has been conducted, the Commission on Elections shall resolve the tie in accordance with the provisions of this Act. If a tie has already been resolved by drawing of lots

prior to the effectivity of this Act, the result shall remain valid, without prejudice to any protest or legal remedy available under existing law.

SEC. 5. *Appropriations.* – The initial funding for the conduct of runoff elections shall be sourced from the current appropriations of the Commission on Elections. Subsequently, the necessary funds shall be included in the annual General Appropriations Act.

SEC. 6. *Implementing Rules and Regulations (“IRR”).* – Within sixty (60) days from the effectivity of this Act, the Commission on Elections shall promulgate the necessary rules and regulations for its implementation, including those on the scheduling of the runoff election, preparation of ballots, conduct of the campaign period, and canvassing of votes.

SEC. 7. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, the remaining provisions shall not be affected.

SEC. 8. *Repealing Clause.* – All laws, decrees, executive orders, rules, and regulations inconsistent with this Act are hereby repealed or amended accordingly.

SEC. 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or at least two (2) newspapers of general circulation.

Approved,