



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **2274**

Introduced by **Representative MA. VICTORIA CO-PILAR**

EXPLANATORY NOTE

The right to suffrage is a cornerstone of any democracy. It is through elections that the people express their sovereign will by choosing leaders who will represent their interests and aspirations. This fundamental right is protected under the 1987 Constitution and implemented through the Omnibus Election Code (Batas Pambansa Blg. 881). However, the integrity of our electoral process is frequently undermined by the recurring problem of nuisance candidates—individuals who file certificates of candidacy not out of a genuine intent to serve, but to mock the system, cause confusion, or pursue personal gain.

Under the current law, Section 69 of the Omnibus Election Code allows the Commission on Elections (COMELEC) to cancel the certificate of candidacy of individuals who have no bona fide intention to run. While this provision offers a legal remedy, it remains insufficient in deterring such acts because there are no clear penalties attached to the mere act of being declared a nuisance candidate. As a result, election cycles often see the proliferation of candidates who run under false pretenses, create confusion by mimicking the names of legitimate candidates, or worse, exploit the system to extort money in exchange for withdrawal.

The enactment of this measure is both timely and necessary. It ensures that elections remain a solemn democratic exercise and that candidates who participate in it do so with integrity and sincerity. By holding nuisance candidates accountable and imposing clear penalties, this bill seeks to protect the sanctity of the ballot and uphold the true will of the electorate and the voice of the people. *Salus populi est suprema lex.*

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



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AN ACT

**PROVIDING AN ADDITIONAL GROUND FOR CANCELLING THE
CERTIFICATE OF CANDIDACY OF A CANDIDATE AND MAKING THE ACTS
OF A NUISANCE CANDIDATE AN ELECTION OFFENSE, AMENDING
SECTIONS 69, 261 (CC) AND 264 OF BATAS PAMBANSA BLG. 881, AS
AMENDED, 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 69 of Batas Pambansa Blg. 881, as amended, is hereby
further amended to read as follows:

"Section 69. Nuisance Candidates. – The Commission may, motu
proprio or upon a verified petition of an interested party, **AFTER DUE
NOTICE AND HEARING**, refuse to give due course to or cancel a certificate
of candidacy, if it is shown that said certificate has been filed **UNDER ANY OF
THE FOLLOWING CIRCUMSTANCES**:

- (1) To put the election process in mockery or disrepute; or
- (2) To cause confusion among the voters by the similarity of the names of the
registered candidates; or
- (3) **TO OBTAIN MONEY, PROFIT, OR ANY OTHER CONSIDERATION;
OR**
- (4) **BY ANY** other circumstances or acts which clearly demonstrate that the
candidate has no *bona fide* intention to run for the office for which the

1 certificate of candidacy has been filed and thus prevent a faithful
2 determination of the true will of the electorate.”

3
4 **SEC. 2.** Section 261 (cc) of Batas Pambansa Blg. 881 is hereby amended to read
5 as follows:

6
7 “Section 261. Prohibited Acts. – The following shall be guilty of an
8 election offense:

9 xxx

10
11 (cc) On candidacy and campaign:

12
13 (1) xxx

14
15 xxx

16
17 **(7) ANY PERSON WHO WAS FOUND BY THE COMMISSION, AFTER**
18 **DUE NOTICE AND HEARING, TO HAVE FILED A CERTIFICATE OF**
19 **CANDIDACY, UNDER ANY OF THE FOLLOWING**
20 **CIRCUMSTANCES:**

21 **(A) TO PUT THE ELECTION PROCESS IN MOCKERY OR DISREPUTE;**

22 **(B) TO MALICIOUSLY OR DELIBERATELY CAUSE CONFUSION**
23 **AMONG THE VOTERS BY SIMILARITY OF THE NAMES OF THE**
24 **REGISTERED CANDIDATES;**

25 **(C) TO OBTAIN MONEY, PROFIT, OR ANY OTHER CONSIDERATION;**
26 **OR**

27 **(D) BY ANY OTHER CIRCUMSTANCES OR ACTS WHICH CLEARLY**
28 **DEMONSTRATE THAT THE CANDIDATE HAS NO BONA FIDE**
29 **INTENTION TO RUN FOR THE OFFICE FOR WHICH THE**
30 **CERTIFICATE OF CANDIDACY HAS BEEN FILED AND THUS**
31 **PREVENT A FAITHFUL DETERMINATION OF THE TRUE WILL OF THE**
32 **ELECTORATE.”**

33
34 **SEC. 3.** Section 264 of Batas Pambansa Blg. 881, is hereby amended to read as
35 follows:

36
37 “Section 264. Penalties. – Any person found guilty of any election
38 offense under this Code shall be punished with imprisonment of not less than
39 one year but not more than six years and shall not be subject to probation. In
40 addition, the guilty party shall be sentenced to suffer disqualification to hold
41 public office and deprivation of the right of suffrage. If [he] **THE OFFENDER**
42 is a foreigner, [he] **SAID INDIVIDUAL** shall be sentenced to deportation
43 which shall be enforced after the prison term has been served. Any political
44 party found guilty shall be sentenced to pay a fine of not less than ten thousand

1 pesos, **(P10,000.00)** which shall be imposed upon such party after criminal
2 action has been instituted in which their corresponding officials have been
3 found guilty.

4
5 xxx

6
7 xxx

8
9 **ANY PERSON FOUND GUILTY OF THE ELECTION OFFENSE**
10 **ENUMERATED UNDER SECTION 261 (CC) (7) SHALL PAY A FINE OF**
11 **FIVE HUNDRED THOUSAND PESOS (PHP500,000) TO THE COMELEC."**
12

13 **SEC. 4.** Within sixty (60) days from the effectivity of this Act, the Commission
14 on Elections shall promulgate the necessary rules and regulations for the effective
15 implementation of this Act.

16
17 **SEC. 5.** If any provision or part of this Act is declared unconstitutional or
18 invalid, the remaining parts or provisions not affected shall remain in full force and
19 effect.

20
21 **SEC. 6.** All laws, presidential decrees, executive orders, rules and regulations,
22 other issuances and parts thereof which are inconsistent with the provisions of this
23 Act are hereby repealed or modified accordingly.

24
25 **SEC. 7.** This Act shall take effect fifteen (15) days after its publication in the
26 *Official Gazette* or in a newspaper of general circulation.

27
28 Approved,