

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. **2812**



Introduced by **Rep. FERDINAND ALEXANDER A. MARCOS**
1stDistrict, Ilocos Norte

EXPLANATORY NOTE

Nuisance candidates are a bane to any electoral system. Their presence undermines the integrity of the ballot and distorts the genuine will of the electorate. In the Philippine context, these individuals are often fielded by rival political actors with no bona fide intention to seek public office. Their candidacies are filed for improper purposes—such as to sow confusion among voters through the similarity of names, to disrupt the electoral prospects of legitimate candidates, or worse, to extort money or other consideration in exchange for withdrawal.

Even in cases where no material consideration is sought, the mere act of filing a candidacy in bad faith subverts the electoral process. It creates the risk of vote-splitting, manipulates public perception, and potentially leads to the unintentional election of individuals who are not genuinely seeking to serve. Such conduct, at its core, places the election process in mockery or disrepute, and erodes public trust in our democratic institutions.

The proposed measure seeks to amend Sections 69 and 261 of Batas Pambansa Blg. 881, otherwise known as the Omnibus Election Code of the Philippines, by expanding the grounds for declaring a person a nuisance candidate and penalizing such acts as election offenses.

Specifically, the bill introduces an explicit ground for disqualification: the filing of a certificate of candidacy to obtain money, profit, or any other consideration. This addition responds to the increasing trend of individuals weaponizing the candidacy process for personal gain or to obstruct legitimate political rivals. The amendment to Section 261 correspondingly makes such conduct punishable as an election offense, subject to due notice and hearing before the Commission on Elections.

Much has been said about the Philippines being a democratic state. But as a representative democracy, the people's most direct and consequential participation in governance occurs during elections. It is therefore imperative to ensure that the electoral process remains credible, fair, and free from manipulation.

The House of Representatives, in the Nineteenth (19th) Congress, approved this measure on Third Reading as House Bill No. 11317 on 30 January 2025, with one hundred ninety-three (193) Members voting in favor.

Hence, for our democracy to flourish and for the sanctity of the ballot to be preserved, the early passage of this bill is earnestly sought.


FERDINAND ALEXANDER A. MARCOS

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS

First Regular Session

House Bill No. **2812**

Introduced by **Rep. FERDINAND ALEXANDER A. MARCOS**
1stDistrict, Ilocos Norte

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

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

"Section 261. Prohibited Acts. - The following shall be guilty of an election offense:

XXX

(cc) On candidacy and campaign:

(1) xxx

xxx

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

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

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

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

(D) 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 CERTIFICATE OF CANDIDACY HAS BEEN FILED AND THUS PREVENT A FAITHFUL DETERMINATION OF THE TRUE WILL OF THE ELECTORATE."

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

"Section 264. Penalties. Any person found guilty of any election offense under this Code shall be punished with imprisonment of not less than one year but not more than six years and shall not be subject to probation. In addition, the guilty party shall be sentenced to suffer disqualification to hold public office and deprivation of the right of suffrage. If [he] **THE OFFENDER** is a foreigner, [he] **SAID INDIVIDUAL** shall be sentenced to deportation which shall be enforced after the prison term has been served. Any political party found guilty shall be sentenced to pay a fine of not less than ten thousand pesos, (P10,000.00) which shall be imposed upon such party after criminal action has been instituted in which their corresponding officials have been found guilty.

XXX

XXX

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

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

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

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

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

Approved,