



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Twentieth Congress
First Regular Session

HOUSE BILL NO. 5334



Introduced by Representative Ramon Rodrigo L. Gutierrez

EXPLANATORY NOTE

Article II, Section 26 of the 1987 Philippine Constitution explicitly mandates that, "*The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law.*" This provision reflects a clear constitutional intent to democratize political power, to broaden political participation, and to prevent the concentration of public office within a few influential families.

Despite the clarity of this constitutional mandate, it has now been nearly four decades since the ratification of the 1987 Constitution, and yet Congress has failed to pass a law that would define and effectively prohibit political dynasties. This persistent inaction has enabled entrenched political families to continue dominating our political landscape—consolidating power and influence across generations and in multiple government positions, often at the expense of democratic ideals.

The consequences of this failure are profound and far-reaching. The unchecked dominance of political dynasties has led to the monopolization of power, perpetuating patronage politics and eroding democratic institutions. It has contributed to entrenched inequality in access to public resources and opportunities for political participation. Public service, rather than being a field open to all qualified Filipinos, has too often become a privilege passed down within families.

This bill, therefore, seeks to finally address this long-standing democratic deficit by defining and prohibiting political dynasties. It aims to level the playing field in Philippine politics by ensuring that qualified individuals, regardless of their family background, can aspire for and hold public office. In doing so, the bill upholds the constitutional principle of equal access to opportunities for public service.

Beyond political fairness, the passage of this bill is a necessary step toward good governance. By dismantling the structures that enable dynastic control, the bill promotes accountability, transparency, and the responsiveness of government institutions. Ultimately, it seeks to empower ordinary Filipinos, strengthen democracy, and foster a more inclusive and equitable society.

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



RAMON RODRIGO L. GUTIERREZ
1-Rider Partylist Representative



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AN ACT
DEFINING AND PROHIBITING THE ESTABLISHMENT OF POLITICAL
DYNASTIES

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 **ANTI-POLITICAL DYNASTY ACT**.

SECTION 2. Declaration of Policy. - It is hereby declared the policy of the State to guarantee equal access and opportunity to public office and service to the public. Towards this end, it is likewise declared the policy of the State to prohibit political dynasties as hereinafter defined.

SECTION 3. Definition of Terms. - As used in this Act:

- a. *Political Dynasty* refers to the concentration, consolidation, or perpetuation of public office and political power by persons related to one another;
- b. *Political Dynasty Relationship* refers to the situation where a person who is the spouse or relative within the second civil degree of consanguinity or affinity of an incumbent elective official holds or runs for an elective office simultaneously with the incumbent elective official, whether for the same national position, or for any elective position within the same city and/or province, or as a nominee of a party-list, or occupies the same office immediately after the term of office of the incumbent elective official;

A political dynasty relationship shall also be deemed to exist where two (2) or more persons who are spouses or are related within the second civil degree of consanguinity or affinity run simultaneously for elective public office, whether for the same national position, or for any elective position within the same city and/or province, or as nominees of a party-list, even if neither is so related to an incumbent elective official.

- c. *Spouse* refers to the legal or common law wife or husband of an incumbent elective official;

- d. *Second Civil Degree of Consanguinity or Affinity* refer to the relatives of a person who may be the latter's brother or sister, direct ascendant or direct descendant, whether legitimate or illegitimate, full or half blood, including their spouses;
- e. *Term Limits* refer to the maximum term limits for elected public officials as provided for in the Constitution;
- f. *Running for an Elective Office* refers to the period the commences upon the filing of the certificate of candidacy by a candidate with the Commission on Elections (COMELEC); and
- g. *Holding an Elective Office* refers to the period that commences from the moment the public official takes his or her oath of office.

SECTION 4. *Applicability.* – This Act shall govern and be applicable to the next elections and to all subsequent elections thereafter. In the case of incumbent elected officials who have political dynasty relationships with one another, they shall be allowed to run in all subsequent elections until they reach their term limit as provided by law.

SECTION 5. *Persons Covered; Prohibited Candidates.* – No spouse or person related within the second degree of consanguinity or affinity, whether legitimate or illegitimate, full or half blood, to an incumbent elective official seeking re-election, shall be allowed to hold or run for any elective office for the same national position, or in the same city and/or province, or as a nominee of a party-list in the same election.

In case the constituency of the incumbent elective official is national in character, the above relatives shall be disqualified from running within the same province where the former is a registered voter.

In case where none of the candidates is related to an incumbent elective official within the second degree of consanguinity or affinity, but their election will result in a political dynasty relationship, the same is likewise prohibited. *Provided*, however, that the bona fide certificate of candidacy that was first filed will be recognized.

SECTION 6. *Filing of Sworn Statement with the Commission on Elections.* – Any person running for any elective public office shall file a sworn statement with the COMELEC that he or she is not among the prohibited candidates in the preceding section.

SECTION 7. *Effect of Violation of Prohibition.* – The COMELEC shall, *motu proprio* or upon verified petition of any interested party, deny due course to any certificate of candidacy filed in violation of this Act and the votes cast for the disqualified candidate, if any, shall not be counted and deemed not counted nor shall such candidate be proclaimed not be qualified to assume office.

SECTION 8. *Period for Filing Petition for Disqualification.* – Any citizen of voting age, candidate, or duly registered political party, organization, or coalition of political parties may file with the COMELEC, after the last day for filing of certificates of candidacy and before proclamation, a petition to disqualify a candidate on grounds provided for under Section 5 hereof.

In the event a candidate disqualified under this Act shall have been proclaimed and has assumed office, his or her political dynasty relationship shall be a ground for disqualification in appropriate *quo warranto* or other proceedings.

SECTION 9. *Summary Proceedings.* – The petition shall be heard and decided summarily by the COMELEC, after due notice and hearing, and its decision shall be executory after the lapse of five (5) days from receipt thereof by the losing party.

SECTION 10. *Effect of Petition if Unresolved Before Completion of Canvass.* – If the petition, for reasons beyond the control of the COMELEC, cannot be decided before the completion of the canvass, the votes cast for the respondent shall be included in the counting and canvassing. *Provided, however,* that if the basis for such disqualification is strong, his or her proclamation shall be suspended notwithstanding the fact that he or she received the winning number of votes in the election. *Provided, further,* that in cases where the disqualified candidate has been proclaimed he or she shall *ipso facto* forfeit his or her right to the office.

SECTION 11. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the COMELEC shall issue the necessary rules and regulations for the effective implementation of this Act.

SECTION 12. *Separability Clause.* – If any portion or provision of this Act is declared unconstitutional or invalid, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SECTION 13. *Repealing Clause.* – All laws, presidential decrees, executive orders, rules and regulations and other issuances, or any part thereof, inconsistent with this Act are hereby repealed, modified, or amended accordingly.

SECTION 14. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,

