

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 5905



Introduced by
LONE DISTRICT OF DINAGAT ISLANDS REPRESENTATIVE KAKA BAG-AO,
AKBAYAN REPRESENTATIVES PERCIVAL CENDAÑA, JOSE MANUEL TADEO "CHEL" I. DIOKNO,
and DADAH KIRAM ISMULA

AN ACT
DEFINING POLITICAL DYNASTY AND PROHIBITING THE ESTABLISHMENT THEREOF

EXPLANATORY NOTE

Article II, Section 26 of the 1987 Constitution states that *"The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law."*

Thirty-eight years after the ratification of the Constitution, Congress has yet to enact the enabling law that defines and prohibits political dynasties. This long delay has allowed the continued concentration of political power within families, undermining the spirit of democracy and the constitutional principle of equal access to public office.

Political dynasties perpetuate inequality, weaken political competition, and hinder the emergence of new leaders and ideas. They often consolidate control over both elective and appointive positions, allowing personal, familial, or partisan interests to override the broader welfare of the people. The resulting dominance of a few families in the political landscape has deepened regional disparities, discouraged citizen participation, and fostered patronage politics.

According to the Ateneo Policy Center's dataset on political dynasties spanning from 1988 to 2019, covering 30 years or 10 election cycles, there has been a consistent rise in political dynasties. This encompasses all local positions, with the percentage of political dynasties escalating from 19 percent in 1988 to 29 percent in 2017. This increase equates to approximately 1 percent or around 170 positions per election period.

In 2001, there were 1,303 political clans with 2 family members, 257 with 3, and 157 with 4 or more. These numbers have increased to 1,433, 335, and 189, respectively in 2010, and to 1,548, 339, and 217, respectively in 2019. These statistics underscore the persistent dominance of political dynasties in Philippine politics, with significant implications for governance and development outcomes, *contrary to the provisions of the 1987 Constitution.*

This proposed bill provides for a clear and categorical definition of political dynasty and political dynasty relationships, and the prohibition thereof. In doing so, it seeks to enforce the anti-dynasty provisions of the 1987 Constitution.

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



REP. KAKA BAG-AO
Lone District of Dinagat Islands



REP. PERCIVAL CENDAÑA
AKBAYAN Party-list



REP. JOSE MANUEL TADEO "CHEL" I. DIOKNO
AKBAYAN Party-list



REP. DADAN KIRAM ISMULA
AKBAYAN Party-list

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as “The Anti-Political Dynasty Act.”

2 **SECTION 2. *Declaration of Policy.*** – It is hereby declared the policy of the State to
3 guarantee equal access and opportunity to public office and public service. Article II, Section 26
4 of the 1987 Constitution expressly provides: “The State shall guarantee equal access to
5 opportunities for public service, and prohibit political dynasties as may be defined by law.”
6 Towards this end, the State shall prohibit political dynasties as defined in Section 3 of this Act.

7 **SECTION 3. *Definition of Terms.*** – For this Act, the following terms shall mean as follows:

8 (a) “*Political Dynasty*” refers to the concentration, consolidation, or perpetuation of
9 public office and political power by persons related to one another within the fourth degree of
10 consanguinity or affinity and shall cover any national and local elective positions, as well as all
11 other elective positions that may be created by law from time to time.

12 (b) A “*Political Dynasty Relationship*” exists when a spouse or a relative within the
13 fourth degree of consanguinity or affinity of an incumbent elective official, including a party-list
14 representative, holds or runs for an elective public office, including nomination or substitution
15 under the party-list system. It also exists when spouses or relatives within the fourth degree of
16 consanguinity or affinity simultaneously run for elective public office, including nomination or
17 substitution under the party-list system. Further, it exists when a spouse or a relative within the

1 fourth degree of consanguinity or affinity of an incumbent elective official, including a party-list
2 representative, succeeds to the office of the same or any incumbent elective official.

3 (c) A "*Relationship by Consanguinity*" exists between persons related by blood,
4 originating from a common ancestor. For purposes of this law, a relationship by consanguinity
5 shall include persons related by virtue of adoption as defined in Republic Act No. 11642 also
6 known as the "Domestic Administrative Adoption and Alternative Child Care Act".

7 (d) A "*Relationship by Affinity*" is a relationship that a person has to the blood relatives
8 of a spouse by virtue of marriage as defined in Article 1 of the Family Code or by virtue of a union
9 without marriage under Articles 147 and 148 of the Family Code, regardless of gender or sexual
10 orientation. For this Act, a relationship by affinity shall subsist despite the annulment of the
11 marriage or divorce between the spouses.

12 (e) "*Incumbent elective official*" refers to any elected official, whether in a national or
13 local position, who is currently holding office, or who has succeeded or has been appointed to
14 replace an incumbent elective official, whether in a temporary or permanent capacity.

15 (f) "*Spouse*" refers to the legal, common-law wife or husband or partner, divorced
16 spouse, or a spouse in an annulled marriage, or a partner in a *de facto* relationship of the
17 incumbent elective official.

18 (g) "*Divorced Spouse*" refers to a spouse who has validly celebrated marriage with a
19 foreigner, who has thereafter validly obtained a divorce abroad, regardless if obtained by such
20 spouse or the alien spouse.

21 (h) "*De facto Relationship*" refers to a relationship between two people who cohabit
22 or declare or present themselves to the public as a couple without marriage or civil union or any
23 other contractual arrangements similar to marriages or civil union, regardless of the genders or
24 the sexual orientations of the persons in the relationship, which includes but is not limited to
25 lesbians, gays, bisexuals, transgender or intersex persons. Cohabiting shall include living together
26 despite having separate residences or houses or having real properties co-owned or registered in
27 both their names or registered under a corporation where they are both shareholders or officers.

28 (i) "*Running for an Elective Office*" shall be deemed to commence upon the filing of
29 the certificate of candidacy by a candidate with the Commission on Elections (COMELEC).

30 (j) "*Holding an Elective Office*" shall be deemed to commence from the moment the
31 public official is proclaimed the winning candidate, takes the oath of office, and assumes its

1 powers and functions. It shall also include those who succeeded or were appointed to an elective
2 office, whether in a temporary or a permanent capacity.

3 **SECTION 4. *Persons Covered; Prohibited Candidates.*** – No person related within the
4 fourth degree of consanguinity or affinity to an incumbent elective official shall be allowed to
5 hold or run for any elective office, whether national or local, unless the incumbent elective official
6 is ending his term of office within the same election year.

7 In all cases, no person related within the fourth degree of consanguinity or affinity to an
8 incumbent elective official shall immediately succeed to the office of the latter: Provided,
9 however, that this prohibition on succession shall not apply to members of the Sangguniang
10 Barangay.

11 In the case of persons running for public office who are related by consanguinity or affinity within
12 the fourth degree, where the election of two or more will result in a political dynasty relationship,
13 the same is likewise prohibited under this Act. In such cases, the certificate of candidacy that was
14 first filed shall be respected.

15 **SECTION 5. *Statement with the COMELEC.*** – When filing a *bona fide* certificate of
16 candidacy, any person running for any elective public office shall file a sworn statement with the
17 COMELEC that he does not have a political dynasty relationship with any incumbent elective
18 official, whether continuing his term of office or running for an elective public office.

19 **SECTION 6. *Effect of Violation of Prohibition.*** – The COMELEC shall, *motu proprio* or upon
20 a verified petition filed by any interested party, deny due course to any certificate of candidacy
21 filed in violation of this Act. The votes cast for the disqualified candidate, if any, shall not be
22 counted and shall be deemed not counted, and neither shall such candidate be proclaimed nor
23 allowed to assume office.

24 **SECTION 7. *Period for Filing the Petition for Disqualification.*** – Any citizen of voting age
25 or a duly registered political party, organization, or coalition of political parties may file with the
26 Law Department of the COMELEC a petition to disqualify a candidate after the last day for filing
27 of certificates of candidacy and before proclamation on grounds provided for under Section 4 of
28 this Act.

29 If a candidate who is disqualified under this Act is proclaimed or is allowed to assume
30 office, the existence of his political dynasty relationship shall be a ground for disqualification in a
31 *quo warranto* proceeding in the appropriate body, to be decided within six (6) months from the
32 filing of the same.

1 **SECTION 8. *Summary Proceedings.*** – The petition shall be heard and decided summarily
2 by the COMELEC, after due notice and hearing, within one (1) month from the filing thereof. The
3 decision of the COMELEC shall be executory after the lapse of five (5) days from publication
4 thereof.

5 **SECTION 9. *Effect of Petition if Unresolved Before Completion of Canvass.*** – If the
6 petition, for reasons beyond the control of the COMELEC, cannot be decided before the
7 completion of the canvass, the votes cast for the respondent shall be included in the counting
8 and canvassing: *Provided, however,* that if the basis for such disqualification is clear and
9 convincing, his or her proclamation shall be suspended even though he or she received the most
10 number of votes in the election: *Provided further* that in cases where the disqualified candidate
11 has been proclaimed, he or she shall forfeit his right to the office.

12 **SECTION 10. *Applicability.*** – This Act shall apply to the next succeeding elections and to
13 all subsequent elections thereafter. An incumbent elective official who has a political dynasty
14 relationship shall not be allowed to run in any subsequent election while such a political dynasty
15 relationship exists.

16 **SECTION 11. *Rules and Regulations.*** – Within ninety (90) days after the effectivity of this
17 Act, the COMELEC shall promulgate the rules and regulations for the implementation of the
18 provisions thereof.

19 **SECTION 12. *Repealing Clause.*** – Any law, presidential decree or issuance, executive order,
20 letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with, the
21 provisions of this Act are hereby repealed, modified, or amended accordingly.

22 **SECTION 13. *Separability Clause.*** – If any provision or part hereof is held invalid or
23 unconstitutional, the remainder of the Act or provision not otherwise affected shall remain valid
24 and subsisting.

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

Approved,