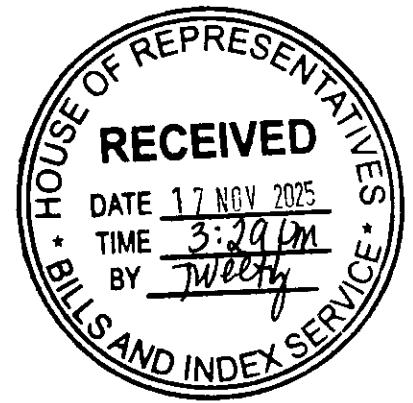


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

20TH CONGRESS
First Regular Session

HOUSE BILL NO. 6064



INTRODUCED BY REP. MAURICIO G. DOMOGAN

EXPLANATORY NOTE

Section 26, Article II of the 1987 Constitution provides that:

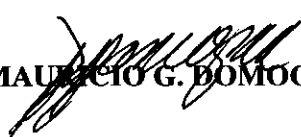
“The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law”.

Almost four decades since the ratification of the Constitution, Congress has yet to pass an enabling law to enforce this mandate. The absence of such legislation has allowed the entrenchment of political dynasties in both national and local levels, resulting in the concentration of power within families, reduced political competition, and the weakening of democratic accountability.

This bill seeks to finally give life to the constitutional prohibition by defining and regulating political dynasties, ensuring equal access to public service, and restoring genuine political competition. It prohibits simultaneous holding and immediate succession of elective positions within families up to the second degree of consanguinity or affinity and empowers the Commission on Elections (COMELEC) to enforce these rules.

The passage of this measure will uphold the Constitutional vision of a democracy where leadership is based on merit, not bloodline, and where power truly resides in the people.

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


MAURICIO G. DOMOGAN

Republic of the Philippines
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HOUSE BILL NO. 6064

INTRODUCED BY REP. MAURICIO G. DOMOGAN

**AN ACT PROHIBITING THE ESTABLISHMENT OF POLITICAL
DYNASTIES**

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

SECTION 1. Short Title. This Act shall be known as "The Anti-Political Dynasty Act."

SEC. 2. Declaration of Policy. — It is hereby declared the policy of the State to guarantee equal access and opportunity to public office and public service. Towards this end, it is likewise declared the policy of the State to prohibit political dynasties as defined in Section 3 of this Act.

SEC. 3. Definition of Terms. — For the purpose of this Act, the following definitions shall be used:

(a) "Political Dynasty" - the concentration, consolidation or perpetuation of public office and political power simultaneously in the same term by persons related to one another.

(b) "Political Dynasty Relationship" - exists when a person who is the spouse or a relative within the second civil degree of consanguinity or affinity of an incumbent elective local or national official holds or runs for an elective office simultaneously with the incumbent local or national elective official in the same election within the same province, city or municipality.

A Political dynasty 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 within the same province, city or municipality, or same local or national office, even if neither is so related to an incumbent local or national elective official.

(c) "Spouse" - the legal and common-law wife or husband of an incumbent elective official.

(d) "Second civil degree of consanguinity or affinity" – includes the relatives of a person who may be the latter's brother or sister, whether of full or half—blood, direct ascendant or direct descendant, whether legitimate, illegitimate or adopted, including their spouses.

(e) "Running for an elective office" - deemed to commence upon the filing of the certificate of candidacy by a candidate with the Commissions on Elections (COMELEC).

(f) "Holding an elective office" - deemed to commence from the moment the public official takes his or her oath of office; and

(g) "COMELEC" - refers to the Commission on Elections.

SEC 4. Application. — This Act shall govern and be applicable to the next elections and to all subsequent elections thereafter.

SEC. 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 simultaneously for any elective office within the same province, city or municipality 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 to any national elective position in the same election.

In case where none of the candidates is related to an incumbent elective official within the second degree of consanguinity or affinity but are related to one another within the said prohibited degree, they, including their spouses, shall be disqualified from holding or running for any elective national or local office in the same election.

SEC. 6. Statement with the Commission on Elections. — Any person running for any elective public office shall file a sworn statement with the COMELEC that they do not fall under the prohibition on Section 5 of this Act.

SEC. 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 nor be qualified to assume office.

SEC. 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 of this Act.

SEC. 8. Summary Proceedings. — The petition shall be heard and decided summarily by the COMELEC, after due notice and hearing, and its decision shall be executed after the lapse of five (5) days from receipt thereof by the losing party.

SEC. 9. 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 further, that in cases where disqualified candidate has been proclaimed he or she shall forfeit his or her right to the Office upon the decision of the COMELEC, as the case maybe.

SEC. 10. Implementing Rules and Regulations. - The COMELEC shall promulgate the rules and regulations for the implementation of the provisions of this Act.

SEC. 11. Separability Clause. If any of the sections or provisions of this Act is held invalid, all other provisions not affected thereby shall remain valid.

SEC. 12. Repealing Clause. All laws inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 13. Effectivity Clause. — This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,