

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 6894



Introduced by Representative GLORIA MACAPAGAL-ARROYO and
Representative ARTHUR C. YAP

AN ACT PROHIBITING POLITICAL DYNASTIES, PROVIDING
PENALTIES THEREFOR, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Article II, Section 26 of the 1987 Philippine Constitution mandates the State to "guarantee equal access to opportunities for public service and prohibit political dynasties as may be defined by law". Despite this clear directive, political dynasties have continued to flourish in the absence of enabling legislation that concretely defines and regulates their establishment and proliferation. Political dynasties undermine the democratic ideals of equality, fairness, and genuine representation.

This bill defines political dynasties and political dynasty relationships, while setting clear prohibitions against simultaneous or successive holding of public office by family members under specified conditions. It prohibits relatives within the fourth degree from running or holding public office simultaneously in the same locality, or from immediately succeeding each other, thus preventing both horizontal and vertical expansion of political power. The measure likewise institutes procedural safeguards by requiring sworn declarations of non-disqualification, authorizing the Commission on Elections (COMELEC) to summarily adjudicate petitions, and enforcing penalties for violations as an election offense. These provide a balanced mechanism that respects due process while ensuring swift enforcement.

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


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Murang kuryente Party-List


GLORIA MACAPAGAL ARROYO
Second District, Pampanga

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*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
Law."

Sec. 2. Definition of Terms. – The following terms, as used herein shall mean:

- a. Political Dynasty refers to the concentration, consolidation, or perpetuation of political powers by persons related to one another;
- b. Political Dynasty Relationship refers to the situation where a person who is the spouse or a relative within the fourth civil degree of consanguinity or affinity of an incumbent elective official holds or runs for an elective office simultaneously with the incumbent elective official within the same city and/or province, or as party-list nominee, 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 related to one another within the fourth civil degree of consanguinity or affinity run simultaneously for elective public office within the same city and/or province, or as nominees to any party-list, even if neither is so related to the incumbent elective official;
- c. Fourth Civil Degree of Consanguinity or Affinity refers to the relationship between two people who descend from a common ancestor and are four steps,

- or degrees, apart on a consanguinity chart, whether legitimate or illegitimate, full or half blood, including their spouses;
- d. Spouse refers to the legal or common-law wife or husband of an incumbent elective official or candidate;
 - e. Term Limits refers 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 that commences upon the filing of the certificate of candidacy by a candidate with the Commission on Elections (COMELEC); and Holding an Elective Office refers to the period that commences from the moment the public official takes his or her oath of office.
 - g. Holding an Elective Office refers to the period that commences from the moment the public official takes his or her oath of office.

Sec. 3. Applicability. – This Act shall apply to the next elections and all subsequent elections thereafter. In the case of incumbent elected officials who have political dynasty relationships with one another in the same city and/or province, they shall be allowed to run in all subsequent elections until they reach their term limit as provided by law.

Sec. 4. Persons Covered; Prohibited Candidates. – No spouse or person related within the fourth 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 in the same city and/or province, or any 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 only within the same city and/or province where the former is domiciled or in any, including the same, national position.

In the case of candidates who are not holding any public office but are within the fourth degree of consanguinity or affinity and 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.

In all cases, no person who has a political dynasty relationship to the incumbent shall immediately succeed to the position of the latter.

Sec. 5. 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 mentioned in the preceding section.

Sec. 6. Period for Filing of Petition for Disqualification. – A petition to disqualify a candidate on the grounds provided under this Act may be filed by any citizen of voting age, candidate, or duly registered political party organization, or coalition of political parties with the COMELEC at any time after the last day for filing certificates of candidacy and before proclamation.

Sec. 7. Summary Proceedings. - The petition shall be heard and decided summarily by the COMELEC, after due notice and hearing, and its decision shall become executory five (5) days after receipt thereof by the losing party.

Sec. 8. Effect of Violation of Prohibition. - The COMELEC shall, *motu proprio* or upon the filing of a verified petition by 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 nor shall such candidate be proclaimed nor be qualified to assume office.

Violation of this Act and the rules and regulations of the COMELEC issued to implement this Act shall also constitute an election offense punishable under the first and second paragraphs of Section 264 of the Omnibus Election Code (Batas Pambansa Big. 881)

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, 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. In case where the disqualified candidate has been proclaimed, the candidate shall ipso facto forfeit the right to assume the office.

Sec. 10. Rules and Regulations. - The Commission on Elections shall, within thirty (30) days after the effectivity of this Act, promulgate the necessary rules and regulations for the effective implementation of this Act.

Sec. 11. Separability Clause. - If any part of this Act is held invalid or unconstitutional, the other parts or provisions thereof shall remain valid and effective.

Sec. 12. Repealing Clause. - All laws, orders, issuances, rules and regulations or part thereof inconsistent with the provisions of this Act are hereby repealed, modified or amended 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,