

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 7402



Introduced by **REP. RODOLFO "OMPONG" M. ORDANES**

AN ACT
PROHIBITING THE DISTRIBUTION OF CERTAIN GOVERNMENT FINANCIAL
ASSISTANCE WITHIN SIX (6) MONTHS BEFORE ANY SCHEDULED NATIONAL
AND LOCAL ELECTIONS, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Free, orderly, honest, peaceful, and credible elections are fundamental to a functioning democracy. Equally important is the obligation of the State to ensure that public funds and government programs are administered in a neutral, non-partisan manner, especially during periods proximate to elections.

Over the years, concerns have repeatedly arisen regarding the timing of the distribution of government financial assistance immediately preceding national and local elections. Programs such as Assistance to Individuals in Crisis Situations (AICS), Ayuda sa Kapos ang Kita Program (AKAP), Cash for Work (CFW), and Tulong Panghanapbuhay sa Ating Disadvantaged/Displaced Workers (TUPAD), while designed to provide urgent social protection, involve discretionary decision-making and direct cash or cash-equivalent benefits. When released close to election periods, these programs become vulnerable to misuse, undue political influence, and perceptions of indirect vote-buying.

Although existing laws penalize vote-buying and the misuse of public funds for partisan purposes, these provisions rely heavily on proof of intent and case-by-case enforcement. In practice, this has proven insufficient to prevent the politicization of government aid, particularly when distributions occur shortly before elections. The absence of a uniform and

time-bound prohibition allows discretionary assistance programs to be used in ways that undermine public trust in both elections and social protection systems.

This bill seeks to address this gap by establishing a six (6)-month pre-election prohibition on the distribution of specified government aid before any scheduled national or local election. By setting a transparent and predictable rule, the measure strengthens electoral safeguards, promotes fairness among candidates, and shields legitimate social assistance programs from political exploitation.

At the same time, this proposed measure recognizes the State's continuing duty to protect life, health, and basic subsistence. As such, the bill also provides for exceptions for emergency and humanitarian assistance arising from declared disasters, public health emergencies, and other extraordinary circumstances, as well as for long-standing, non-discretionary programs with fixed schedules.

Ultimately, this bill aims to uphold the integrity of elections while preserving the credibility and humanitarian purpose of government assistance programs, ensuring that public aid is delivered based on genuine need, not electoral advantage.

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

A handwritten signature in black ink, appearing to be 'Rodolfo Ompong M. Ordanes', written over the printed name.

RODOLFO "OMPONG" M. ORDANES

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OTHER PURPOSES

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 “Pre-Election Government Aid
2 *Neutrality Act.*”

3 SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to ensure
4 free, orderly, honest, peaceful, and credible elections, prevent the use of public funds and
5 government assistance to influence, directly or indirectly, the outcome of elections, and
6 safeguard social protection and employment programs from partisan or political exploitation.

7 SEC. 3. *Definition of Terms.* – As used in this Act:

8 (a) *Election Period* refers to the period fixed by the Commission on Elections
9 (COMELEC) for any national or local election.

10 (b) *Covered Government Aid Programs* refer to government-funded financial
11 assistance, subsidies, or cash-for-work programs, including but not limited to:

- 12 a. Assistance to Individuals in Crisis Situations (AICS);
13 b. Ayuda sa Kapos ang Kita Program (AKAP);
14 c. Cash for Work (CFW);
15 d. Tulong Panghanapbuhay sa Ating Disadvantaged/Displaced Workers
16 (TUPAD); and
17 e. Similar programs involving direct cash, cash equivalents, or short-term
18 employment assistance, as may be determined by COMELEC in
19 coordination with the Commission on Audit (COA).

1 (c) *Distribution* refers to the release, transfer, or delivery of funds, goods, or
2 benefits to individual beneficiaries or groups.

3 SEC. 4. ***Prohibited Acts.*** – The distribution or release of Covered Government Aid
4 Programs within six (6) months prior to any scheduled national or local election shall be
5 prohibited. The prohibition shall apply regardless of whether the distribution is undertaken
6 directly or indirectly by any government agency, instrumentality, government-owned and
7 controlled corporation, local government unit, or through intermediaries, partner
8 organizations of local officials.

9 SEC. 5. ***Exceptions.*** – The prohibition under Section 4 shall not apply to:

10 (a) Emergency or humanitarian assistance necessitated by natural or human-
11 induced disasters, public health emergencies, or similar extraordinary
12 circumstances, as officially declared by the appropriate authority;

13 (b) Ongoing social protection programs with fixed, regular, and non-discretionary
14 schedules established at least one (1) year prior to the election, provided that
15 no increase in funding, coverage, or beneficiary selection occurs within the
16 prohibited period;

17 (c) Programs expressly authorized by COMELEC upon a finding that the
18 distribution is non-partisan, unavoidable, and strictly necessary for public
19 welfare.

20 SEC. 6. ***Oversight and Coordination.*** – The COMELEC, in coordination with the
21 Department of Social Welfare and Development (DSWD), Department of Labor and
22 Employment (DOLE), Department of Budget and Management (DBM), and the Commission
23 on Audit (COA), and other relevant agencies, shall issue the necessary rules and guidelines to
24 implement this Act. COMELEC shall maintain a public registry of approved exceptions and
25 authorized distributions during the prohibited period.

26 SEC. 7. ***Penalties.*** – Any public officer or employee who violates this Act shall, upon
27 conviction, suffer:

28 (a) Imprisonment of not less than one (1) year but not more than six (6) years;

29 (b) Perpetual disqualification from public office; and

30 (c) Administrative sanctions, including dismissal from service and forfeiture of
31 benefits, without prejudice to prosecution under existing laws.

32 If the offender is a private individual acting in conspiracy with a public officer, the
33 same penalties shall apply.

1 SEC. 8. *Amendments to Existing Laws.* – Accordingly, pertinent provisions of existing
2 election laws, including the Omnibus Election Code of the Philippines, are hereby amended
3 or supplemented to give full effect to this Act.

4 SEC. 16. *Separability Clause.* – If any part or provision of this Act is held invalid or
5 unconstitutional, the remaining parts or provisions not affected shall remain in full force and
6 effect.

7 SEC. 17. *Repealing Clause.* – All laws, decrees, orders, rules, and regulations, and other
8 issuances or parts thereof which are contrary to or inconsistent with this Act are hereby
9 repealed, amended, or modified accordingly.

10 SEC. 18. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in
11 the Official Gazette or in a newspaper of general circulation.

12 *Approved,*