

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **8306**



Introduced by **REP. NATHANIEL “Atty. Nat” M. ODUCAO**

EXPLANATORY NOTE

The 1987 Constitution guarantees equal access to opportunities for public service and prohibits political dynasties. A public office is a public trust and democratic governance requires open and genuine political competition. However, Congress has yet to pass a law that enacts this Constitutional provision, and thus political dynasties continue to dominate elective positions across the country.

This dominance has a negative effect on social justice and democratic inclusion. The concentration of power in a select number of political families pose significant barriers to meaningful participation in governance and electoral competition for most citizens.

Nationwide, 113 out of 149 city mayors belong to political families, 71 of 82 provincial governors are members of political dynasties, and approximately eighty percent (80%) of members of the House of Representatives come from political clans. This dominance limits voter choice to candidates drawn from a small number of entrenched families, weakening genuine electoral competition and accountability.

As defined by the Congressional Policy and Budget Research Department (CPBRD) Policy Note CN2024-04, a political dynasty is a family in which two or more members secure elective public office in at least two elections, simultaneously or in succession. Electoral success becomes a matter of having the correct surname rather than possessing the necessary qualifications.

While it is recognized that not all members of political families are unqualified or ill-intentioned, the repeated occupation of elective positions by members of the same family tends to consolidate political influence, name recognition, and access to public resources. Over time, this consolidation discourages qualified challengers and narrows the range of meaningful choices available to the electorate.

Research conducted by the Ateneo School of Government shows that dynastic dominance is deeply embedded in local political and economic structures. The presence of political dynasties is correlated with poorer development outcomes and higher levels of poverty. These findings show that dynastic dominance inhibit accountability necessary for good governance.

Political dynasties exist in many democracies, but their prevalence and impact are not as regressive as what is seen in the Philippines. In most established Western democracies, such as Germany, Canada, and the United States, dynastic politicians account for a relatively

small share of elected officials, often estimated at five to ten percent of national legislatures. While prominent political families exist in these countries, electoral competition remains largely open, and political parties play a stronger role in candidate selection.

In Japan, dynastic politics is more pronounced, with studies showing that more than one-fourth of members of the national legislature belong to political families. Even so, strong party institutions and bureaucratic systems help limit the concentration of power at the local level. In Indonesia, political dynasties have grown following decentralization and direct local elections, particularly at the provincial and municipal levels, but their overall reach remains less extensive than in the Philippines.

To comply with the Constitutional mandate and halt the further entrenchment of these political dynasties, this measure proposes a ban on candidates related to other candidates or incumbents, in any local or national elective post, to whom they are related to up to the second degree of consanguinity or affinity.

This prohibition recognizes the nature of Filipino families, where in-laws and extended relations are considered part of the family and partake in the efforts and rewards of family ventures, including dynastic politics. The prohibition targets where the transfer and sharing of power is most pronounced and most effective, while preserving voter choice.

This bill seeks compliance with the Constitution in its letter and spirit to foster genuine democratic participation.

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

A handwritten signature in black ink, appearing to read 'N. Oducado', with a small circular stamp or mark near the end of the signature.

REP. NATHANIEL “ATTY. NAT ODOCADO
1Tahanan Party-List

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Introduced by **REP. NATHANIEL “ATTY. NAT” M. ODUCAO**

AN ACT
DEFINING AND PROHIBITING POLITICAL DYNASTIES, ESTABLISHING THE
NECESSARY MECHANISMS TO PREVENT AND ELIMINATE THE
PROLIFERATION THEREOF, AND PROVIDING PENALTIES FOR VIOLATIONS
AND FOR OTHER PURPOSES

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.*”

SEC. 2. *Declaration of Policy.* – The State shall guarantee equal access to opportunities for public service and prohibit political dynasties as may be defined by law. To this effect, the State shall define political dynasties and provide effective and accountable mechanisms in the prohibition thereof.

SEC 3. *Definition of Terms.* – As used in this Act, the following terms shall mean:

- a) *Political dynasties* - refer to family members running for or holding public office, among national or local elective offices, as well as any and all other elective offices or positions that may be created by law, that has the potential or actual effect of concentrating, consolidating, or perpetuating political power of the family.
- b) *Candidate* - refers to any person aspiring for or seeking an elective public office, who has filed a certificate of candidacy by himself or herself, or through an accredited political party aggroupment, or coalition of parties. Any organized group of persons which has registered with the Commission on Elections (COMELEC) not later than ninety (90) days before the election stating its desire to participate in the party-list system as a national, regional or sectoral party or organization or a coalition of such parties or organizations, attaching thereto its constitution, by-laws, shall likewise be considered as a candidate.

- c) *Family members* - refer to those who are related to the second civil degree of consanguinity or affinity including common law wife or husband or partner.
- d) *National elective offices* - refer to the offices of the President, Vice-President, Senators, and Members of the House of Representatives.
- e) *Local elective offices* - refer to the offices of provincial, city, municipal, and barangay officials.
- f) *Spouse* - refers to the legal or common-law wife or husband or partner.

SEC. 4. *Prohibition Against Political Dynasties.* – The following acts are prohibited:

- a) No person related within the second (2nd) degree of consanguinity or affinity to an incumbent national elective official shall be allowed to hold or run, simultaneously or successively, for any national elective office.
- b) No person related within the second (2nd) degree of consanguinity or affinity to an incumbent local elective official shall be allowed to hold or run, simultaneously or successively, for any local elective office.
- c) The simultaneous running of persons who are related within the second (2nd) degree of consanguinity or affinity for any national elective office, including nominees of a party-list group, is likewise prohibited.
- d) The simultaneous running of persons who are related within the second (2nd) degree of consanguinity or affinity for any local elective office is likewise prohibited.

Succession or appointment to an elective office in any manner provided by law, whether in a temporary or permanent capacity, shall be deemed as holding an elective office.

SEC. 5. *Declaration of Family Relationship.* – A person aspiring for or seeking an elective public office and nominees of party-list groups shall declare all prohibited family relationships and attach to his or her sworn certificate of candidacy birth and marriage certificates, or an affidavit stating the legal name and degree of relationship of each family member.

SEC. 6. *Summary Administrative and Judicial Remedies.* – For the purpose of giving full effect to Section 4, the prohibition against political dynasties shall be implemented in the following manner:

- a) *Summary Administrative Procedure Through Motu Proprio Action of the COMELEC.* – The COMELEC shall encode all family relationships, as contained in the birth and marriage certificates, or affidavit, of each candidate

and nominee of a party-list group in a database or databases after each day of filing of certificate of candidacy.

At the end of and within ten days after the period for the certificate of candidacy, the COMELEC shall issue notices to candidates covered by the prohibited family relationships and motu proprio resolve the issue of which family member will be prohibited and allowed to run for public office. The resolution of the COMELEC shall be limited to determining and stating: i) at the first level, the voluntary agreement among the family members on who will run for public office, and ii) at the second level, in the event of an absence of voluntary agreement among the family members, the candidate who will run for public office through the drawing of lots.

- b) *Summary Administrative Procedure Through Petition to Implement the Prohibition by any Registered Voter.* – At any day not later than twenty days before the start of printing of the official ballots, any registered voter may file a petition to implement the prohibition. The registered voter shall state in a form, which shall be designed by the COMELEC: i) the legal names of the candidates, ii) the prohibited degree of relationship, iii) request for verification of prohibited degree of relationship based on the information submitted by the candidate during the filing of Certificate of Candidacy or any other information as may be submitted by the registered voter with the form, and iv) request to resolve the issue of which family member will be prohibited and allowed to run.

Within ten days from receipt of the request, the COMELEC shall issue notices to candidates and resolve the issue of which family member will be prohibited and allowed to run for public office. The resolution of the COMELEC shall be limited to determining and stating: i) at the first level, the voluntary agreement among the family members on who will run for public office, and ii) at the second level, in the event of an absence of voluntary agreement among the family members, the candidate who will run for public office through the drawing of lots.

- c) *Quo warranto proceedings.* – After the proclamation of the results of election, any registered voter may file a sworn petition for quo warranto on the ground of ineligibility to hold public office due to the prohibition before the:
- i. Presidential Electoral Tribunal for President and Vice-president,
 - ii. Senate Electoral Tribunal for Senators,
 - iii. House of Representatives Electoral Tribunal for members of the House of Representatives, and
 - iv. The COMELEC for regional, provincial, city, municipal, and barangay officials.

SEC. 7. Election Offense and Penalties. – The failure to declare any pertinent information or the declaration of untruthful information as to family relationship in the certificate

of candidacy shall be considered as an election offense. The offense shall be punished with imprisonment of not less than one year but not more than six years and shall not be subject to probation. In addition, the guilty party shall be sentenced to suffer perpetual disqualification from holding public office.

SEC. 8. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected thereby shall remain in full force and effect.

SEC. 9. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

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

Approved,