

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
Second Regular Session

HOUSE BILL NO. 10304



Introduced by: Rep. Keith Micah "Atty. Mike" D.L. Tan

AN ACT
PROVIDING FOR ELECTORAL CAMPAIGN FINANCE REFORMS, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Under the broader subject of political finance, campaign finance, the resources used by candidates and parties to secure voter support, is currently governed by a regulatory framework that suffers from systemic issues, including a legal loophole that permits premature campaigning, unrealistic expenditure limits, and the frequent abuse of state resources by incumbents.

To address these issues, this measure institutionalizes a transformative definition of what is considered a candidate, reckoning all campaign conduct, expenditures, and legal accountabilities from the moment a Certificate of Candidacy is filed. It imposes a strict One Million Peso (P1,000,000.00) ceiling on individual contributions while offering tax exemptions for transparently reported donations to encourage compliance. Crucially, the bill prevents the circumvention of these limits by prohibiting "indirect contributions" from beneficial owners and corporate accounts, ensuring that the true sources of political funding are identifiable and accountable.

Finally, this bill seeks to mandate state-led affirmative action by requiring the COMELEC to procure and provide free, proportional airtime, print space, and social media presence for all candidates to mitigate the influence of private wealth. This is paired with the institutionalization of a permanent Political Finance and Affairs Department within the COMELEC to ensure rigorous, year-round auditing and enforcement of finance rules. By modernizing spending limits and strengthening institutional oversight, this bill seeks to fulfill the State's mandate of providing equal access to opportunities for public service and restoring the integrity of the democratic process.

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

A handwritten signature in black ink, appearing to read "Keith Micah", written over the printed name.

Keith Micah "Atty. Mike" D.L. Tan
4th District, Quezon

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
Second Regular Session

HOUSE BILL NO. 10304

Introduced by: Rep. Keith Micah "Atty. Mike" D.L. Tan

AN ACT
PROVIDING FOR ELECTORAL CAMPAIGN FINANCE REFORMS, 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 "Electoral Campaign Finance Act."

SEC. 2. *Declaration of Policy.* – The State shall institute reforms in campaign finance through effective, transparent, and accountable mechanisms designed to level the playing field among all candidates and political parties during elections.

SEC. 3. *Limitations upon contributions.* – Contributions to any political party or candidate shall be limited to a maximum amount of One Million Pesos (P1,000,000.00) from any person.

Any contribution, in cash or in kind, to any candidate or political party for campaign purposes, duly reported to the Commission on Elections, shall be exempt from donor's tax.

SEC. 4. Section 95 of Batas Pambansa Bilang 881 is hereby amended to read as follows:

"SECTION 95. *Prohibited contributions.* – No contribution for purposes of partisan political activity shall be made directly or indirectly by any of the following:

(a) Public or private financial institutions: Provided, however, That nothing herein shall prevent the making of any loan to a candidate or political party by any such public or private financial institutions legally in the business of lending money, and that the loan is made in accordance with laws and regulations and in the ordinary course of

business;

(b) Natural and juridical persons operating a public utility or in possession of or exploiting any natural resources of the nation;

(c) Natural and juridical persons who hold contracts or sub-contracts to supply the government or any of its divisions, subdivisions or instrumentalities, with goods or services or to perform construction or other works;

(d) Natural and juridical persons who have been granted franchises, incentives, exemptions, allocations or similar privileges or concessions by the government or any of its divisions, subdivisions or instrumentalities, including government-owned or controlled corporations;

(e) Natural and juridical persons who, within one year prior to the date of the election, have been granted loans or other accommodations [~~in excess of P100,000~~] **THE AGGREGATE VALUE OF WHICH IS IN EXCESS OF P100,000** by the government or any of its divisions, subdivisions or instrumentalities including government-owned or controlled corporations;

(f) Educational institutions which have received grants of public funds amounting to no less than P100,000.00;

(g) Officials or employees in the Civil Service, or members of the Armed Forces of the Philippines; and

(h) Foreigners and foreign corporations.

It shall be unlawful for any person to solicit or receive any contribution from any of the persons or entities enumerated herein.

THERE IS INDIRECT PROHIBITED CONTRIBUTION WHEN A CONTRIBUTION IS MADE TO CIRCUMVENT THE SEPARATE LEGAL PERSONALITIES OF ENUMERATED PERSONS OR ENTITIES, INCLUDING THE PRESENCE OF ANY OF THE FOLLOWING CIRCUMSTANCES:

1. ACTOR:

**A) CONTRIBUTION FROM A BENEFICIAL OWNER OF
ENUMERATED JURIDICAL PERSONS OR ENTITIES;**

B) CONTRIBUTION FROM A DIRECTOR, TRUSTEE, OR OFFICER OF

ENUMERATED JURIDICAL PERSONS OR ENTITIES EXCEPT WHEN DECLARED UNDER OATH AS SOURCED FROM PERSONAL FUNDS; OR

- C) CONTRIBUTIONS FROM TWO OR MORE EMPLOYEES OF ENUMERATED JURIDICAL PERSONS OR ENTITIES EXCEPT WHEN DECLARED UNDER OATH AS SOURCED FROM PERSONAL FUNDS.

BENEFICIAL OWNER REFERS TO A PERSON WHO: A) ULTIMATELY OWNS OR DOMINANTLY INFLUENCES THE MANAGEMENT OR POLICIES OF THE JURIDICAL PERSON; OR B) EXERCISES ULTIMATE EFFECTIVE CONTROL OVER THE JURIDICAL PERSON.

2. SOURCE OF FUNDS:

- A) CONTRIBUTION SOURCED FROM THE CORPORATE ACCOUNT OF ENUMERATED JURIDICAL PERSONS OR ENTITIES REGARDLESS OF THE DECLARED CONTRIBUTOR; OR
- B) CONTRIBUTIONS DECLARED AS SOURCED FROM PERSONAL FUNDS PURSUANT TO SUB-PARAGRAPHS 1B AND 1C THAT ARE INCOMPATIBLE WITH THE FINANCIAL CAPACITY OF THE DIRECTOR, TRUSTEE, OFFICER, OR EMPLOYEES."

SEC. 5. Section 15 of Republic Act No. 8436, as amended by Section 13 of Republic Act No. 9369, is hereby amended to read as follows:

SEC. 15. Official Ballot. - The Commission shall prescribe the format of the electronic display and/or the size and form of the official ballot, which shall contain the titles of the position to be filled and/or the proposition to be voted upon in an initiative, referendum or plebiscite. Where practicable, electronic displays must be constructed to present the names of all candidates for the same position in the same page or screen, otherwise, the electronic displays must be constructed to present the entire ballot to the voter, in a series of sequential pages, and to ensure that the voter sees

all of the ballot options on all pages before completing his or her vote and to allow the voter to review and change all ballot choices prior to completing and casting his or her ballot. Under each position to be filled, the names of candidates shall be arranged alphabetically by surname and uniformly indicated using the same type size. The maiden or married name shall be listed in the official ballot, as preferred by the female candidate. Under each proposition to be vote upon, the choices should be uniformly indicated using the same font and size.

A fixed space where the chairman of the board of election inspector

shall affix ~~[her/her]~~ HIS/HER signature to authenticate the official ballot shall be provided.

For this purpose, the Commission shall set the deadline for the filing of certificate of candidacy/petition of registration/manifestation to participate in the election. ~~[Any person who files his certificate of candidacy within this period shall only be considered as a candidate at the start of the campaign period for which he filed his certificate of candidacy: Provided, That, unlawful acts or omissions applicable to a candidate shall effect only upon that start of the aforesaid campaign period:]~~ A PERSON SHALL BE CONSIDERED AS A CANDIDATE UPON THE FILING OF HIS/HER CERTIFICATE OF CANDIDACY: PROVIDED, THAT, CONTRIBUTIONS TO AND EXPENDITURES OF A CANDIDATE SHALL BE RECKONED FROM THE FILING OF HIS/HER CERTIFICATE OF CANDIDACY: PROVIDED, THAT, UNLAWFUL ACTS OR OMISSIONS UNDER ALL RELEVANT LAWS APPLICABLE TO A CANDIDATE SHALL TAKE EFFECT FROM THE FILING OF HIS/HER CERTIFICATE OF CANDIDACY: Provided, finally, That any person holding a public appointive office or position, including active members of the armed forces, and officers, and employees in government-owned or-controlled corporations, shall be considered ipso facto resigned from his/her office and must vacate the same at the start of the day of the filing of his/her ~~[certification]~~ CERTIFICATE of candidacy.

Political parties may hold political conventions to nominate their official candidate within thirty (30) days before the start of the period for filing THE certificate of candidacy.

With respect to a paper-based election system, the official ballots shall be printed by the National Printing Office and/or the Bangko Sentral ng Pilipinas at the price comparable with that of private printers under proper security measures which the Commission shall adopt. The Commission may ~~[contact]~~ CONTRACT the services of private printers upon certification by the National Printing Office/Bangko Sentral ng Pilipinas that it cannot meet the printing requirements. Accredited political parties and deputized citizen's arms of the Commission shall assign watchers in the printing, storage and distribution of official ballots.

To prevent the use of fake ballots, the Commission through the Committee shall ensure that the necessary safeguards, such as, but not limited to, bar codes, holograms, color shifting ink, microprinting, are provided on the ballot.

The official ballots shall be printed and distributed to each

city/municipality at the rate of one ballot for every registered voter with a provision of additional three ballots per precinct.

SEC. 6. Section 7 of Republic Act No. 9006 is hereby amended to read as follows:

Section 7. Affirmative Action by the COMELEC. – 7.1. ~~[Pursuant to Sections 90 and 92 of the Omnibus Election Code (Batas Pambansa Bldg. 881),]~~ ~~[t]~~The [COMELEC] COMMISSION shall procure the print space upon payment of just compensation from at least three (3) national newspapers of general circulation wherein candidates for national office can announce their candidacies. Such space shall be allocated free of charge ~~[equally]~~ PROPORTIONALLY and impartially among all the ~~[candidates]~~ NATIONAL POLITICAL PARTIES THAT NOMINATED CANDIDATES AND INDEPENDENT CANDIDATES for national office on three (3) different calendar days: the first day within the first week of the campaign period; the second day within the fifth week of the campaign period; and the third day within the tenth week of the campaign period.

7.2. THE COMMISSION SHALL ESTABLISH PAGES OR ACCOUNTS IN AT LEAST THREE (3) SOCIAL MEDIA PLATFORMS FOR THE PURPOSE OF SHARING CONTENT OF POLITICAL PARTIES AND INDEPENDENT CANDIDATES. SUCH DIGITAL SPACE SHALL BE USED TO DISCUSS THE PARTY'S AND INDEPENDENT CANDIDATE'S PLATFORMS AND ALLOCATED PROPORTIONALLY AND IMPARTIALLY AMONG ALL POLITICAL PARTIES AND INDEPENDENT CANDIDATES. THE COMMISSION MAY PROCURE TARGETED ADVERTISEMENTS EXCLUSIVELY TO ENHANCE THE REACH OF THE PAGES OR ACCOUNTS IN GENERAL.

~~[7.2.]~~ 7.3. The ~~[COMELEC]~~ COMMISSION shall ~~[also]~~ procure free airtime from at least three (3) national television ~~[networks]~~ and ~~[three(3) national]~~ radio networks, which shall also be allocated free of charge ~~[equally]~~ PROPORTIONALLY and impartially among all ~~[candidates]~~ THE NATIONAL POLITICAL PARTIES THAT NOMINATED CANDIDATES AND INDEPENDENT CANDIDATES for national office. Such free time shall be USED TO DISCUSS THE PARTY'S OR INDEPENDENT CANDIDATE'S PLATFORMS AND allocated on ~~[three (3)]~~ THIRTEEN (13) different calendar days ~~[; the first day within the first week of the campaign period; the second day within the fifth week of the campaign period; and the third day within the tenth weeks of the campaign period.]~~ OR ONE DAY WITHIN EACH WEEK OF THE CAMPAIGN PERIOD.

~~[7.3.]~~ 7.4. The COMELEC may require national television and radio

networks to sponsor at least three (3) national debates among presidential candidates and at least one (1) national debate among vice presidential candidates. The debates among presidential candidates shall be scheduled on three (3) different calendar days [;]; the first debate shall be scheduled within the first and second week of the campaign period; the second debate within the fifth and sixth week of the campaign period; and the third debate shall be scheduled within the tenth and eleventh week of the campaign period.

The sponsoring television or radio network may sell ~~{air-time}~~ AIRTIME for commercials and advertisements to interested advertisers and sponsors. The COMELEC shall promulgate rules and regulations for the ~~[holding of such debates]~~ IMPLEMENTATION OF THE PROVISIONS ON AFFIRMATIVE ACTION.

SEC. 7. Section 13 of Republic Act No. 7166 is hereby amended to read as follows:

Section 13. ~~[Authorized Expenses of Candidates and Political Parties. -~~
} LIMITATIONS UPON EXPENSES. ~~[The agreement amount that a candidate or registered political party may spend for election campaign shall be as follows:~~

~~(a) For candidates. - Ten pesos (P10.00) for President and Vice-President; and for other candidates Three Pesos (P3.00) for every voter currently registered in the constituency where he filed his certificate of candidacy: Provided, That a candidate without any political party and without support from any political party may be allowed to spend Five Pesos (P5.00) for every such voter; and~~

~~(b) For political parties. - Five pesos (P5.00) for every voter currently registered in the constituency or constituencies where it has official candidates.]~~

NO CANDIDATE FOR PRESIDENT, VICE-PRESIDENT, SENATOR, AND PARTY-LIST SYSTEM OF REPRESENTATION SHALL SPEND FOR AN ELECTION CAMPAIGN AN AGGREGATE AMOUNT EXCEEDING FIFTEEN PESOS (P15.00) FOR EVERY REGISTERED VOTER IN THE CONSTITUENCY WHERE THE CERTIFICATE OF CANDIDACY IS FILED. CANDIDATES FOR OTHER POSITIONS SHALL NOT BE ALLOWED TO SPEND FOR HIS OR HER ELECTION CAMPAIGN AN AGGREGATE AMOUNT OF FIVE PESOS (P5.00) FOR EVERY REGISTERED VOTER IN THE CONSTITUENCY WHERE HE OR SHE FILED HIS CERTIFICATE OF CANDIDACY.

A POLITICAL PARTY MAY SPEND FOR THE ELECTION OF ITS OFFICIAL CANDIDATES NOT EXCEEDING THIRTY PESOS (P30.00) FOR EVERY

REGISTERED VOTER IN THE CONSTITUENCY OR CONSTITUENCIES
WHERE IT HAS OFFICIAL CANDIDATES.

~~[Any provision of law to the contrary notwithstanding any contribution in cash or in kind to any candidate or political party or coalition of parties for campaign purposes, duly reported to the Commission shall not be subject to the payment of any gift tax.]~~

THE COMMISSION SHALL STUDY AND REVIEW, IN CONSULTATION WITH CIVIL SOCIETY ORGANIZATIONS, THE LIMITATIONS UPON EXPENSES AFTER EACH REGULAR ELECTIONS FOR NATIONAL AND LOCAL OFFICIALS TO DETERMINE IF THE AMOUNTS RESPOND TO FAIR ELECTION PRACTICES AND PREVAILING COSTS OF LAWFUL ELECTION PROPAGANDA. THE REVIEW SHALL BE COMPLETED IN THE SAME YEAR AFTER EACH REGULAR ELECTION FOR NATIONAL AND LOCAL OFFICIALS.

SEC. 8. *Institutionalization of the Political Finance and Affairs Department.* – The Commission on Elections shall establish the Political Finance and Affairs Department as a permanent department to administer and implement all relevant laws and rules relating to political finance and electoral campaign finance.

SEC. 9. *Repealing Clause.* – All laws, decrees, orders, and issuances, or portions thereof, which are inconsistent with the provisions of this Act, are hereby repealed, amended, or modified accordingly.

SEC. 10. *Separability Clause.* – Should any provision of this Act or part hereof be declared unconstitutional, the other provisions or parts not affected thereby shall remain valid and effective.

SEC. 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.