



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
Second Regular Session



HOUSE BILL NO. 10799

Introduced by Representative JONATHAN KEITH T. FLORES

EXPLANATORY NOTE

The internet and social media have become vital everyday platforms for public discourse and political participation. When used responsibly, these technologies promote transparency, expand access to information, and strengthen democratic engagement.

However, the proliferation of misinformation, online harassment, and manipulation of digital content pose serious risks to fair and credible elections. The emergence of Artificial Intelligence (AI) further amplifies these concerns, as AI-generated or manipulated materials have been utilized to mislead voters and erode public trust.

Thus, this measure seeks to establish a legal framework for the ethical, transparent, and accountable use of social media, AI, and internet technologies during elections. It ensures that candidates may lawfully use digital platforms for campaigning while protecting the public from deceptive and malicious practices. Specifically, the bill provides for:

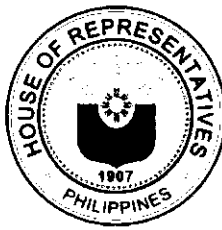
- (a) The supervision and regulation by the Commission on Elections (COMELEC) of online and AI-assisted election practices and propaganda;
- (b) The recognition of internet, AI, and social media platforms as lawful avenues for election propaganda;
- (c) The establishment of standards and parameters for digital campaigning; and
- (d) The prohibition of deepfakes and other deceptive AI-generated content that misrepresents any candidate or citizen.

Through these safeguards, the measure upholds the constitutional mandate to ensure free, orderly, honest, peaceful, and credible elections, while embracing the responsible and innovative use of technology.

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

JONATHAN KEITH T. FLORES
2nd District of Bukidnon





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HOUSE BILL NO. **10799**

Introduced by Representative JONATHAN KEITH T. FLORES

AN ACT
PROVIDING FOR THE FAIR USE OF SOCIAL MEDIA, ARTIFICIAL INTELLIGENCE
AND INTERNET TECHNOLOGY FOR THE HOLDING OF FREE, ORDERLY,
HONEST, PEACEFUL AND CREDIBLE ELECTIONS

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 “Social Media, Artificial Intelligence and Internet Technology Regulation for Fair Elections Act.”

SEC. 2. **Declaration of Policy.** - The State shall, during the election period, supervise and regulate the privileges granted under franchises or permits for the operation of the internet and social media communication or information, as well as the use of artificial intelligence, and provide appropriate penalties for their misuse, to guarantee equal opportunity for public service, including access to the internet and social media time and space; the equitable right to reply, for public information campaigns and fora among candidates; and assure free, orderly, honest, peaceful, and credible elections.

The State shall ensure that candidates for any public office shall be free from any form of online harassment and discrimination.

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

- (a) *Artificial Intelligence (AI) Technology* refers to computer systems or machines that simulate human intelligence processes, including learning, reasoning, problem solving, perception, language processing, and image generation or manipulation in real or virtual environments;
- (b) *AI-generated content* refers to any text, image, audio, or video material wholly or partially created or modified by an AI system;
- (c) *Blog and collective blog* refer to websites on which an individual or group of users, respectively, record news, opinions, and information, in varying degrees of regularity. A “micro-blog” refers to a blogging format which allows users to exchange small elements of content - referred to variously as posts, entries or status updates - such as short sentences, individual images, or links to video material uploaded to the internet;
- (d) *Candidate* refers to any person seeking an elective public office, who has filed a certificate of candidacy, and who has not died, withdrawn the certificate of candidacy, nor the certificate of candidacy denied due course or cancelled, or has been otherwise

- disqualified before the start of the campaign period for which the certificate of candidacy was filed: Provided, That unlawful acts or omissions applicable to a candidate shall take effect only upon the start of the aforesaid campaign period. It also refers to any registered national, regional, or sectoral party, organization or coalition thereof that has filed a manifestation of intent to participate under the party-list system, which has not withdrawn the said manifestation, or which has not been disqualified before the start of the campaign period;
- (e) *Contractors and business firms* refer to persons, natural or juridical, or firms to whom the electoral expenditure is paid or due for payment in accordance with Section 112 of the Omnibus Election Code, including media entities, media outlets, internet and social media platforms, advertising agencies, public relations firms and other intermediaries, event organizers, talent endorsers and their managers, digital influencers, and printing presses engaged for the purpose of entering into political advertisement contracts.
 - (f) *Deepfake* refers to any AI-generated or manipulated image, audio, or video that falsely depicts a person performing an action or uttering statements that they did not in fact perform or say.
 - (g) *Election campaign or partisan political activity* refers to an act designed to promote the election or defeat of a particular candidate or candidates to a public office, and shall include any of the following:
 - (i) Forming organizations, associations, clubs, committees or other groups of persons for the purpose of soliciting votes and/or undertaking any campaign for or against a candidate;
 - (ii) Creating on any social media platform, user groups or community pages, for the purpose of conducting campaigns or related partisan political activity;
 - (iii) Holding political caucuses, conferences, meetings, rallies, parades or other similar assemblies for the purpose of soliciting votes and/or undertaking any campaign or propaganda for or against a candidate;
 - (iv) Making speeches, announcements or commentaries, or holding interviews for or against the election of any candidate for public office;
 - (v) Publishing, displaying or distributing campaign literature or materials designed to support or oppose the election of any candidate; or
 - (vi) Directly or indirectly soliciting votes, pledges or support for or against any candidate.
 - (h) *Electoral ads and electoral posts* refer to advertisements and social media posts that have for their primary purpose the promotion of the victory or defeat of a candidate;
 - (i) *E-rally* refers to a rally under Article X of the Omnibus Election Code which is conducted for online audiences;
 - (j) *Livestreaming* refers to the live broadcasting of an event over the internet;
 - (k) *Microtargeting* refers to a form of targeting online advertisements that uses recent technological developments to analyze a person's online usage, to preferentially serve advertisements and other information that specifically reflect that individual user's preferences and personality;
 - (l) *Online campaigning* refers to the use of the internet to distribute campaign propaganda. This includes text-only posts on social media, pictures, audio clips, and video clips, regardless of duration, and all combinations of such formats;

- (m) *Party* refers to either a political party, whether national or sectoral party, or a coalition of parties, and party-list organizations duly registered/accredited with the Commission on Elections (COMELEC);
- (n) *Political advertisement or election propaganda* refers to any matter broadcasted, published, printed, displayed or exhibited, in any medium, which contains the name, image, logo, brand, insignia, initials, and other symbol or graphic representation that is capable of being associated with a candidate, and is exclusively intended to draw the attention of the public or a segment thereof to promote or oppose, directly or indirectly, the election of the said candidate or candidates to a public office. In broadcast media, political advertisements may take the form of spots, appearances on television shows and radio programs, live or taped announcements, teasers, and other forms of advertising messages or announcements used by commercial advertisers. Political advertising includes endorsements, statements, declarations, or information graphics, appearing on any internet website, social network, blogging site, and micro-blogging site, which – when taken as a whole – has for its principal object the endorsement of a candidate only, or which was posted in return for consideration or are otherwise capable of pecuniary estimation;
- (o) *Social media* refers to the collective of online communication channels, including websites and applications, that enable users to create and share content, collaborate, and interact with each other. For purposes of this Act, video sharing sites which allow users to post comments on individual entries shall be considered as falling within the broad category of “social media”;
- (p) *Social media account* refers to a user’s personalized access to a social networking site or application, typically using a username and password combination. A social media account allows a user to interact with other users on the same social networking site;
- (q) *Social media associates* refer to contractors whose primary duty is to promote the election or defeat of any candidate through social media interactions and engagement; and
- (r) *Social media post* refers to any text, audio, or graphic content – or any combination thereof – published online using a social media account.

SEC. 4. *Use of the Internet and Social Media as Lawful Election Propaganda.* – Election propaganda on the internet and the social media are hereby allowed for all candidates seeking national and local elective positions, subject to the limitation on authorized expenses of candidates and parties, observation of truth in advertising, and to the supervision and regulation by the COMELEC. AI-generated content used in lawful election propaganda shall likewise comply with these standards and remain subject to COMELEC supervision and regulation.

Social media posts, regardless of format, whether original or re-posted from some source, which may either be incidental to the poster’s advocacies of social issues or which may have, for its primary purpose, the endorsement of a candidate only including paid advertisements on the internet subject to the requirements set forth in Section 5 hereof and the Fair Elections Act shall also be allowed.

SEC. 5. *Requirements and/or Limitations on the Use of Election Propaganda through Internet and Social Media.* - The use of the internet and social media for purposes of election propaganda shall be allowed subject to the following limitations:

- (a) Each registered political party, coalition, and candidate shall register with the Education and Information Department (EID) of the COMELEC, the website name and web address of all platform-verified official accounts, websites, blogs and/or other social media pages of such political party or candidate within thirty (30) days from the last day of the period for the filing of the Certificates of Candidacy. Websites completing the verification process after the said period and other social media accounts established after the said period must be registered with the COMELEC-EID within five (5) days after its verification or registration;
- (b) Any other website, blog, or social media page not registered above but which, when taken as a whole, has for its primary purpose the endorsement of a candidate, whether or not directly maintained or administered by the candidate or their official campaign representatives, shall be considered additional official websites, blogs or social media pages of the said candidate, for all regulatory purposes;
- (c) Only verified accounts, websites, blogs, and/or social media pages may run electoral ads, and boost or promote electoral posts;
- (d) Microtargeting of electoral ads shall not be allowed: Provided, That electoral ads may be targeted using only the following criteria: geographical location, except radius around a specific location; age; and gender: Provided, further, That contextual targeting options may also be used in combination with the above-mentioned criteria: Provided, finally, That processing of personal data should comply with the provisions of Republic Act No. 10173 or the Data Privacy Act of 2012, its Implementing Rules and Regulations and related issuances of the National Privacy Commission;
- (e) Information contained in online campaign propaganda shall be truthful and not misleading, nor shall it tend to unjustifiably cast doubt on the integrity of the electoral process; and
- (f) All electoral ads must show a disclosure that identifies who paid for the ad. All electoral posts must show a disclosure that identifies it as a paid electoral ad, and discloses who paid for the ad.
- (g) The use of AI tools and systems for the production, distribution, or amplification of election propaganda shall be subject to full disclosure and transparency requirements.
- (h) All AI-generated content used for campaign purposes must contain a clear and visible label stating that the material was generated or modified by AI.
- (i) The use of AI to create or distribute deceptive, manipulated, or “deepfake” materials that misrepresent the identity, statements, or actions of any candidate, political party, or citizen is strictly prohibited.
- (j) Candidates and parties shall be held jointly responsible for the dissemination of AI-generated content produced on their behalf, whether directly or through contractors or business firms.

SEC. 6. *Regulation of Election Propaganda through Internet and Social Media.* - In all instances, the COMELEC shall supervise the use and employment of online facilities insofar as the placement of political advertisements is concerned, to ensure that candidates are given equal opportunity under equal circumstances to make known their qualifications and their stand on

public issues, within the limits set forth in the Omnibus Election Code, the Fair Election Act, and appropriate rules.

The COMELEC shall likewise formulate and enforce guidelines governing the ethical use of AI tools and technologies in online campaign activities.

SEC. 7. *E-rallies and Livestreams Allowed.* – Any political party or candidate, individually or jointly with other aspirants, may hold peaceful online political meetings, rallies or other similar activities during the campaign period. Such online political meetings, rallies, and similar activities are not covered by the limitations on broadcast advertising.

Live streaming on the candidates' social media platforms shall be considered a form of e-rally, subject to the following rules:

- (a) All e-rallies shall include a disclosure that identifies it as a political meeting or rally and provide the relevant date, time, and location information. For this purpose, a live stream on the candidate's social media platforms shall be considered a political meeting or rally;
- (b) Recordings of e-rallies shall be submitted to the COMELEC within 72 hours from the airing of the same; and
- (c) Candidates may receive in-platform gifts and game currency but shall not be allowed to give gifts to livestream audiences, nor to run promotions and campaigns that will award in-platform gifts or game currency to platform users and livestream audiences.

SEC. 8. *Prohibition on the Regulation of Legitimate Expressions by Private Individuals.* – The COMELEC is hereby mandated to regulate expressions of candidates and political parties but shall not in any manner include legitimate expressions by private citizens.

Public expressions or opinions or discussions of probable issues in an election or on attributes of or criticisms against candidates shall not be construed as part of any election campaign or partisan political activity.

SEC. 9. *Reporting Requirements to be Submitted by Contractors and Business Firms.* - Certified true copies of all contracts, reports and receipts, and other documents, accompanied by all its digitized copies, shall be submitted by contractors and business firms to the COMELEC.

Every content creator of a post, owner, or administrator of any website who airs or shows the political advertisements, without the required data or having false information, in violation of this Act shall be criminally liable with the candidate under Sec. 264 of the Omnibus Election Code and, if applicable, suffer the penalties of suspension or revocation of franchise or permit in accordance with law.

Within thirty (30) days after the conduct of the election, every person or firm to whom any payment for electoral expenditure has been made shall file a written report using the prescribed form which shall contain the following information, and accompanied with the official receipts issued to the person with whom the contractor or business firm had transacted:

- (i) The full name of the candidate who incurred such expenditures;
- (ii) The nature or purpose of each expenditure;
- (iii) The description of the goods or services provided by the contractor or business firm;
- (iv) The date when the expenses were incurred;
- (v) The amount or cost thereof; and

- (vi) The serial number of the official receipt, cash invoice, or other Bureau of Internal Revenue-approved document issued.

Reportorial requirements shall apply to all contractors and business firms transacting or doing business in the Philippines, whether or not incorporated under the Philippine laws.

Social media associates, including paid digital influencers and online content creators, who use social media platforms to promote or defeat the election of any candidate, are considered individual contractors subject to reportorial requirements under this Act.

Agencies and other intermediaries between the entities producing and placing online political advertisements and the candidate, political party, or party-list group shall also submit a similar report.

Within the period provided by law, internet companies which include social media companies, transacting or doing business in the Philippines, whether or not incorporated under the Philippine laws, which a candidate or party utilize to directly reach out to voters and mobilize support through the use of ads, paid promoted hashtags/trends, shall provide the COMELEC with the information or documents containing the following:

- (i) The name of the candidate or party in the advertisement;
- (ii) The name of the person or advertising agency/public relations firm who paid the advertisement;
- (iii) Page Name or Account Name or Handle where the advertisement was posted, originated, or uploaded;
- (iv) The particulars of the political advertisement;
- (v) The amount or cost of the advertisement; and
- (vi) A declaration stating whether AI systems or tools were used in the production or distribution of any campaign material.

SEC. 10. *Election Offense.* – Any violation of the provisions of this Act shall constitute an election offense punishable under the first and second paragraph of Section 264 of Batas Pambansa Blg. 881, otherwise known as the Omnibus Election Code of the Philippines, and other pertinent laws, rules and regulations, whenever applicable. The COMELEC shall, through its duly authorized legal officers, have the power, concurrent with other prosecuting arms of the government, to conduct preliminary investigation of all election offenses and prosecute the same.

SEC. 11. *Right of Reply.* – Any candidate or person accused of violating any provision of this Act shall be given the right of reply.

SEC. 12. *Authority of the COMELEC to Promulgate Rules.* – The COMELEC shall promulgate and furnish all political parties and candidates and all concerned entities the rules and regulations for the implementation of this Act, consistent with the criteria established in Article IX-C, Section 4 of the Constitution and Section 86 of the Omnibus Election Code.

Rules and regulations promulgated by the COMELEC under and by authority of this Section shall take effect on the seventh day after their publication in at least two (2) daily newspapers of general circulation. Prior to the effectivity of said rules and regulations, no political advertisement or propaganda for or against any candidate or political party shall be published or broadcast through the internet and social media.

SEC. 13. *Separability Clause.* – In case any provision of this Act is declared invalid or unconstitutional, such declaration shall have no effect on the validity or constitutionality of the remaining provisions hereof.

SEC. 14. ***Repealing Clause.*** – All laws, decrees, rules and regulations inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

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

Approved,