



Republic of the Philippines
House of Representatives

20th CONGRESS
Second Regular Session

HOUSE BILL NO. **10806**

Introduced by Hon. Charisse Anne C. Hernandez

EXPLANATORY NOTE

For many Filipinos today, the first place they encounter election news is no longer television, radio or newspapers. It is Facebook, TikTok, YouTube, X, messaging applications and other online platforms.

The problem is that **not everything that looks real online is real.**

This is no longer simply a matter of “fake news.” Artificial intelligence can now create convincing videos, photographs and audio recordings of people saying or doing things that never happened. Fake accounts and automated bots can make a political message appear more popular than it actually is. Political advertisements can be precisely targeted to particular groups using personal information. Paid influencers can promote political messages without making it clear that they are being compensated.

Recent evidence shows that this is a serious concern among Filipinos. The Reuters Institute's *Digital News Report 2025* reported that 67% of Filipinos expressed concern about online misinformation and disinformation, the highest level recorded in the Philippine data at that time. The report also noted that social media remain a major source of news for Filipinos amid an increasingly fragmented and politically polarized information environment.

The problem is not limited to fabricated stories. In 2025, an investigation reported extensive use of fake social media accounts in Philippine political discourse, with researchers estimating that as much as 45% of election-related online discussion in a particular period was driven by inauthentic accounts. Such operations can create the illusion that a candidate or political position enjoys widespread public support when, in reality, much of the apparent engagement may have been artificially generated.

At the same time, any law addressing online misinformation must be careful not to silence legitimate political speech.

Filipinos have the right to criticize candidates, express political opinions, share commentary, make jokes, create satire and parody, and engage in political debate—even when others disagree with them. An honest mistake should not automatically become an election offense simply because it was posted online.

This measure therefore draws an important line between ordinary political expression and deliberate digital manipulation.

It distinguishes misinformation from disinformation and recognizes that satire, parody, opinion and legitimate editing are different from deliberately deceptive content. It specifically prohibits the use of deepfakes to impersonate candidates or election officials when intended to deceive voters.

The bill likewise addresses the use of bots, fake accounts and coordinated inauthentic behavior designed to artificially influence electoral discourse. It regulates political microtargeting, particularly the use of sensitive personal information, while allowing legitimate digital campaigning.

The measure also promotes transparency. Filipinos should be able to know who paid for a political advertisement and when a social media influencer is being paid or otherwise compensated to promote political content. Digital platforms are likewise required to maintain records of political advertising so that campaign spending and digital influence operations can be properly monitored.

Digital campaign spending should not be invisible simply because it happens online. Payments for social media advertisements, digital influencers, online campaign services, content production and other digital activities should be properly reported as campaign expenditures.

The bill also makes candidates and campaign organizations accountable when they knowingly authorize, finance or coordinate unlawful digital operations, while making clear that a candidate should not automatically be liable for every post, comment, share or reaction made independently by an ordinary supporter.

Finally, the measure gives the Commission on Elections the authority to issue implementing rules and regulations, with consultation among technology platforms, media organizations, civil society, political parties, digital experts and other election stakeholders.

The objective of this measure is simple: technology should help Filipinos make informed choices, not create an artificial picture of what Filipinos believe.

The Internet has become an important part of Philippine democracy. This bill does not seek to take political discussion away from Filipinos. Instead, it seeks to make digital campaigning more transparent, accountable and fair—so that when Filipinos cast their votes, their choices are influenced by genuine political discourse and not by hidden digital manipulation.

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



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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
Second Regular Session

House Bill No. **10806**

Introduced by Honorable Charisse Anne C. Hernandez

AN ACT
PROVIDING FOR THE FAIR USE OF SOCIAL MEDIA, ARTIFICIAL INTELLIGENCE
AND INTERNET TECHNOLOGY IN ELECTIONS, REGULATING DIGITAL ELECTION
PROPAGANDA AND PROVIDING PENALTIES THEREFOR

Be it enacted by the Senate and House of Representatives of the Philippines in Congress

SECTION 1. Short Title. — This Act shall be known as the “**Fair Use of Social Media, Artificial Intelligence and Internet Technology in Elections Act.**”

SEC. 2. Declaration of Policy. — It is the policy of the State to ensure that the use of social media, artificial intelligence and internet technology in elections promotes informed political participation and does not undermine the conduct of free, orderly, honest, peaceful and credible elections.

The State recognizes the importance of digital platforms as venues for political expression, campaign communication, voter education and public discourse. At the same time, the State shall prevent the deliberate use of digital technologies to deceptively manipulate electoral discourse, conceal the source of political propaganda, artificially influence public perception, unlawfully exploit personal information, or otherwise interfere with the electoral process.

Nothing in this Act shall be construed to prohibit legitimate political opinion, commentary, satire, parody, journalism or lawful editing of digital content.

SEC. 3. Definition of Terms. — For purposes of this Act:

- (a) *Artificial Intelligence or AI* refers to a machine-based system capable of generating or modifying text, images, audio, video or other digital content;
- (b) *AI-generated content* refers to content substantially created through the use of an artificial intelligence system;
- (c) *AI-manipulated content* refers to authentic content that has been materially altered through artificial intelligence;
- (d) *Bot* refers to an automated software program capable of interacting with a digital platform without direct human operation;

- (e) *Coordinated inauthentic behavior* refers to the coordinated use of multiple accounts, persons, automated systems or other mechanisms to conceal the true identity, source, affiliation or level of support for political content and thereby artificially influence electoral discourse;
- (f) *Deepfake* refers to synthetic or manipulated audio, video, image or other digital content generated or materially altered through artificial intelligence or similar technology to realistically depict a person as having said or done something that the person did not actually say or do;
- (g) *Disinformation* refers to false or materially misleading information that is knowingly created, fabricated, altered or disseminated with the intent to deceive and influence electoral choice;
- (h) *Misinformation* refers to false or inaccurate information disseminated without the intent to deceive;
- (i) *Microtargeting* refers to the use of personal data, inferred characteristics, behavioral information or other individualized information to direct political advertising or election propaganda to a narrowly defined individual or group;
- (j) *Political advertisement* refers to paid or sponsored communication disseminated through social media, websites, online platforms or other internet-based technology for the purpose of promoting or opposing a candidate, political party or party-list organization;
- (k) *Political influencer* refers to a person who, whether for monetary compensation, consideration or other material benefit, creates, publishes, endorses or distributes political content through a social media platform or other digital medium;
- (l) *Political microtargeting* refers to the use of microtargeting for the dissemination of political advertisements or election propaganda;
- (m) *Sensitive personal information* shall have the same meaning as provided under Republic Act No. 10173, otherwise known as the “Data Privacy Act of 2012”;
- (n) *Satire* refers to the use of humor, irony, exaggeration or ridicule to comment upon a person, event, policy or political issue;
- (o) *Opinion* refers to a statement expressing a person's belief, judgment, interpretation or view concerning a political candidate, party, issue or matter of public concern;
- (p) *Parody* refers to an imitation or transformation of a person, work, statement, event or political communication for purposes of humor, criticism, commentary or artistic expression; and
- (q) *Legitimate editing* refers to ordinary editing, cropping, enhancement, translation, captioning, subtitling or other alteration of digital content that does not falsely represent a person as having said or done something that did not occur.

SEC. 4. Distinction Between Misinformation, Disinformation and Protected Expression.

— For purposes of this Act, the following distinctions shall apply:

- (a) *Misinformation*, by itself, shall not constitute a violation of this Act when there is no intent to deceive or materially manipulate electoral discourse;
- (b) *Disinformation* shall refer to the knowing creation or dissemination of false or materially misleading information with the intent to deceive and influence electoral choice, subject to the specific prohibited acts under this Act;

(c) *Satire and parody* shall not be considered disinformation solely because they contain fictional, exaggerated or altered representations, provided that they are not presented as authentic statements or events for the purpose of deceiving voters;

(d) *Opinion and commentary* shall not be considered disinformation merely because they are disputed, inaccurate, unfavorable or critical of a candidate, political party or public official;

(e) *Legitimate editing*, including cropping, enhancement, translation, captioning, subtitling and similar alterations, shall not constitute prohibited manipulation unless it materially changes the substance of the content in a manner intended to deceive voters; and

(f) The determination of a violation shall consider the nature of the content, the circumstances of its creation or dissemination, the representation made to the public, and the intent of the person responsible.

SEC. 5. Prohibition on Deceptive Deepfakes. — No person shall knowingly create, publish, disseminate, sponsor or cause the dissemination of a deepfake during the election period that:

(a) falsely depicts a candidate as saying or doing something that the candidate did not say or do;

(b) falsely depicts a candidate's withdrawal, endorsement, admission, confession or other material act concerning the election;

(c) falsely depicts a COMELEC official, election officer or other person acting in an official election capacity as making a statement or issuing an instruction that such person did not make or issue; or

(d) otherwise impersonates a candidate or election official through synthetic media, when done with the intent to deceive voters or materially influence electoral choice.

The use of artificial intelligence for satire, parody, commentary, legitimate campaign production or other lawful purposes shall not constitute a violation of this Section in the absence of the intent contemplated herein.

SEC. 6. Disclosure of AI-Generated Political Content. — Any candidate, political party, campaign organization, political advertiser or political influencer who disseminates election propaganda that is substantially generated or materially altered through artificial intelligence shall disclose such use in a clear and reasonably conspicuous manner.

The Commission on Elections (COMELEC) shall prescribe the appropriate form and manner of disclosure, taking into consideration the nature and format of the digital content.

The absence of an AI disclosure shall not, by itself, constitute proof that the content is a deepfake or disinformation.

SEC. 7. Prohibition on Bots, Fake Accounts and Coordinated Inauthentic Behavior. — No person, candidate, political party, campaign organization or person acting on their behalf shall knowingly:

(a) create or operate a fake account for the purpose of concealing the true source or identity of political communication;

(b) use bots or automated accounts to impersonate genuine users for the purpose of artificially influencing electoral discourse;

(c) purchase or employ fake followers, artificial engagement, fabricated reactions or similar deceptive mechanisms to create a false appearance of public support for or opposition to a candidate or political position;

(d) organize or participate in coordinated inauthentic behavior intended to artificially amplify, suppress or manipulate political content; or

(e) knowingly finance, authorize or direct another person or entity to undertake any of the acts prohibited under this Section.

Nothing herein shall prohibit automated tools used for legitimate purposes, including content scheduling, accessibility, translation, moderation, customer service or campaign administration, provided that such use does not involve deceptive impersonation or artificial manipulation of electoral discourse.

SEC. 8. Political Microtargeting. — Political advertisements may be targeted to geographic, demographic or other lawful audience categories, subject to existing election and data privacy laws.

Political microtargeting shall not be conducted using:

(a) sensitive personal information as defined under Republic Act No. 10173, except when expressly permitted by law;

(b) personal information obtained through unlawful or fraudulent means;

(c) personal information obtained without the required lawful basis;

(d) personal information relating to minors for purposes of political advertising; or

(e) information specifically processed for the purpose of exploiting a person's sensitive personal circumstances or vulnerabilities to influence electoral choice.

Political advertisers shall disclose, in the manner prescribed by COMELEC, the general categories of data or audience characteristics used to target political advertisements.

The disclosure shall not require the publication of the personal information of individual voters.

SEC. 9. Transparency in Political Advertisements. — All paid political advertisements disseminated through social media, websites, online platforms or other internet-based services shall contain a clear and reasonably conspicuous disclosure identifying:

(a) the candidate, political party, party-list organization or other political entity promoted or opposed;

(b) the person or entity that paid for or authorized the advertisement; and

(c) when applicable, the fact that the advertisement contains AI-generated or materially AI-manipulated content.

No person shall knowingly conceal the actual sponsor or source of a paid political advertisement through the use of a fictitious identity or deceptive intermediary.

SEC. 10. Transparency for Political Influencers. — A political influencer who receives money, compensation, consideration or other material benefit in exchange for creating, publishing, endorsing or distributing political content shall clearly disclose such relationship in the content.

The disclosure shall be readily visible or audible to the audience and shall not be concealed in a manner reasonably calculated to prevent the audience from recognizing the commercial or political nature of the communication.

Payments or other consideration received by political influencers for election-related content shall be properly documented and reported as campaign expenditures in accordance with this Act and existing election laws.

SEC. 11. Records of Political Advertising by Platforms. — Social media platforms, online advertising services and other internet platforms that provide paid political advertising services in the Philippines shall maintain records of political advertisements placed through their services during the election period.

Such records shall include, to the extent applicable:

- (a) the content of the advertisement;
- (b) the identity of the person or entity that paid for or authorized the advertisement;
- (c) the amount paid;
- (d) the period during which the advertisement was disseminated;
- (e) the candidate, political party or political organization promoted or opposed;
- (f) the general geographic or demographic audience targeted; and
- (g) such other information as may be reasonably required by COMELEC for purposes of enforcing election laws.

The records shall be retained for such period as may be prescribed by COMELEC, taking into consideration data privacy, cybersecurity, legitimate business interests and other applicable laws.

COMELEC may require the submission or inspection of such records through lawful procedures.

SEC. 12. Digital Election Advertising Repository. — COMELEC shall establish or designate a publicly accessible digital repository containing information on political advertisements submitted or reported pursuant to this Act.

The repository may include the advertisement, sponsor, amount spent, period of dissemination, candidate or political organization concerned, and general audience category targeted.

The repository shall not contain unnecessary personal information of individual voters or users.

SEC. 13. Digital Election Expenditures. — All expenditures incurred for digital election propaganda shall be considered election expenditures and shall be reported in accordance with the Omnibus Election Code, Republic Act No. 9006, otherwise known as the “Fair Election Act,” and other applicable laws and regulations.

Digital election expenditures shall include, but shall not be limited to:

- (a) social media and online advertising;
- (b) search-engine advertising;

- (c) payments to political influencers and digital content creators;
- (d) digital campaign consultants;
- (e) website development and maintenance;
- (f) livestreaming and e-rally production;
- (g) digital content production;
- (h) artificial intelligence services used for campaign purposes;
- (i) account management and digital campaign services; and
- (j) other substantially similar digital services incurred for election campaign purposes.

Candidates, political parties and campaign organizations shall maintain complete and accurate records of digital election expenditures and shall include the same in their applicable campaign-finance reports.

SEC. 14. Accountability of Candidates and Campaign Organizations for Coordinated Digital Operations. — A candidate, political party, coalition or campaign organization shall be accountable for a prohibited digital operation undertaken on its behalf when it is established that the candidate, political party, coalition or campaign organization:

- (a) directly authorized or directed the operation;
- (b) knowingly financed the operation;
- (c) knowingly coordinated with the persons or entities undertaking the operation; or
- (d) knowingly caused, assisted or materially participated in the operation.

A candidate, political party, coalition or campaign organization shall **not** be held liable solely because an ordinary supporter, volunteer or private individual independently posts, shares, comments upon or reacts to political content.

Neither shall a candidate or campaign organization be automatically liable for an unlawful act merely because the person who committed the act publicly expressed support for such candidate.

SEC. 15. Contractors and Digital Campaign Service Providers. — A person, advertising agency, digital consultant, influencer, content creator, technology service provider or other contractor engaged by a candidate, political party or campaign organization shall be subject to this Act when such person knowingly participates in a prohibited digital election operation.

Contracts for digital campaign services shall identify, when applicable, the nature of the service and the amount of compensation paid.

Payments for services covered by this Section shall be reported as campaign expenditures in accordance with existing election laws.

SEC. 16. No Automatic Liability for Platforms. — A social media platform or internet service provider shall not be criminally liable solely because a user has posted, shared or disseminated content through its service.

Nothing in this Act shall relieve a platform or service provider from complying with lawful requirements concerning the maintenance and production of political advertising records under this Act or from liability for its own unlawful acts.

SEC. 17. Reporting of Digital Campaign Expenditures. — The statements of contributions and expenditures required under existing election laws shall separately identify digital election expenditures.

The report shall, where applicable, identify:

- (a) the platform or service provider;
- (b) the nature of the digital service;
- (c) the amount paid;
- (d) the date or period of the expenditure; and
- (e) the candidate, political party or campaign organization on whose behalf the expenditure was incurred.

COMELEC shall prescribe standardized reporting forms for digital campaign expenditures.

SEC. 18. Enforcement by COMELEC. — COMELEC shall have authority to monitor compliance with this Act and investigate alleged violations thereof in accordance with law.

In carrying out its functions, COMELEC may require candidates, political parties, campaign organizations and covered digital platforms to submit records or information reasonably necessary to determine compliance with this Act, subject to applicable constitutional and statutory protections.

SEC. 19. Implementing Rules and Regulations. — Within ninety (90) days from the effectivity of this Act, COMELEC shall promulgate the rules and regulations necessary for its effective implementation.

Before the promulgation of such rules and regulations, COMELEC shall conduct consultations with relevant stakeholders, including:

- (a) social media and technology platforms;
- (b) political parties and candidates;
- (c) media organizations and journalists;
- (d) civil society organizations;
- (e) digital rights and technology experts;
- (f) data privacy experts;
- (g) election-law practitioners and experts; and
- (h) other election stakeholders as COMELEC may deem appropriate.

The implementing rules shall, insofar as practicable, take into account technological developments and shall avoid imposing requirements that unnecessarily restrict legitimate political expression or lawful use of digital technology.

SEC. 20. Separability Clause. — If any provision of this Act is declared unconstitutional or invalid, the validity of the remaining provisions shall not be affected.

SEC. 21. Repealing Clause. — All laws, decrees, orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 22. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,