

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session



COMMITTEE REPORT NO. 1110

Submitted by the Committee on Suffrage and Electoral Reforms on June 10, 2024.

Re: House Bill No. 10524

Recommending its approval in substitution of House Bills Numbered 437, 5692, 8794, 9069, and 10186

Sponsors: Representatives Ma. Victoria Co-Pilar, Florida "Rida" P. Robes, and Maximo Y. Dalog, Jr.

Mr. Speaker:

The Committee on Suffrage and Electoral Reforms, to which were referred House Bill No. 437, introduced by Representative Johnny Ty Pimentel, entitled:

"AN ACT PROHIBITING THE SUBSTITUTION OF CANDIDATES BY REASON OF WITHDRAWAL, AMENDING FOR THE PURPOSE SECTIONS 69, 77 AND 262 OF BATAS PAMBANSA BILANG 881, OTHERWISE KNOWN AS THE OMNIBUS ELECTION CODE, AS AMENDED";

House Bill No. 5692, introduced by Rep. Eduardo "Bro. Eddie" C. Villanueva, entitled:

"AN ACT MODIFYING THE GROUNDS FOR SUBSTITUTION OF CANDIDATES, AMENDING FOR THIS PURPOSE SECTION 77 OF BATAS PAMBANSA BILANG 881, OTHERWISE KNOWN AS THE OMNIBUS ELECTION CODE";

House Bill No. 8794, introduced by Rep. Ma. Victoria Co-Pilar, entitled:

"AN ACT AMENDING SECTION 77 OF BATAS PAMBANSA BILANG 881, OTHERWISE KNOWN AS THE OMNIBUS ELECTION CODE, TO MODIFY THE GROUNDS FOR SUBSTITUTION OF CANDIDATES";

House Bill No. 9069, introduced by Rep. Ruwel Peter S. Gonzaga, entitled:

"AN ACT AMENDING SECTION 77 OF BATAS PAMBANSA BILANG 881, OTHERWISE KNOWN AS THE OMNIBUS ELECTION CODE, TO MODIFY THE GROUNDS FOR SUBSTITUTION OF CANDIDATES";

and

House Bill No. 10186, introduced by Rep. Florida "Rida" P. Robes, entitled:

"AN ACT AMENDING THE LAW GOVERNING THE SUBSTITUTION OF CANDIDATES FOR THE NATIONAL AND LOCAL ELECTIONS, AMENDING FOR THE PURPOSE SECTION 77 OF BATAS PAMBANSA BLG 881, OTHERWISE KNOWN AS THE OMNIBUS ELECTION CODE"

has considered the same and recommends that the attached House Bill No. **10524**, entitled:

"AN ACT MODIFYING THE GROUNDS FOR SUBSTITUTION OF CANDIDATES, AMENDING FOR THE PURPOSE SECTION 77 OF BATAS PAMBANSA BLG. 881, OTHERWISE KNOWN AS THE OMNIBUS ELECTION CODE OF THE PHILIPPINES"

be approved in substitution of House Bills Numbered 437, 5692, 8794, 9069, and 10186 with Representatives Johnny Ty Pimentel, Eduardo "Bro. Eddie" C. Villanueva, Ma. Victoria Co-Pilar, Ruwel Peter S. Gonzaga, Florida "Rida" P. Robes, Maximo Y. Dalog, Jr., Wowo Fortes, and Reynante U. Arrogancia, as authors thereof.

Respectfully submitted,



MAXIMO Y. DALOG JR.

Chairperson

Committee on Suffrage and Electoral Reforms

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY

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HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 10524

(in substitution of House Bills Numbered 437, 5692, 8794, 9069, and 10186)

Introduced by Representatives

Johnny Ty Pimentel, Eduardo "Bro. Eddie" C. Villanueva, Ma. Victoria Co-Pilar, Ruwel Peter S. Gonzaga, Florida "Rida" P. Robes, Maximo Y. Dalog, Jr., Wowo Fortes, and Reynante U. Arrogancia

AN ACT

MODIFYING THE GROUNDS FOR SUBSTITUTION OF CANDIDATES, AMENDING FOR THE PURPOSE SECTION 77 OF BATAS PAMBANSA BLG. 881, OTHERWISE KNOWN AS THE OMNIBUS ELECTION CODE OF THE PHILIPPINES

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

1 **SECTION 1.** Section 77 of Batas Pambansa Blg. 881, otherwise known as the "Omnibus Election
2 Code of the Philippines," is hereby amended to read as follows:

3
4 "SECTION 77. Candidates in case of death, **PERMANENT INCAPACITY OR**
5 disqualification [or withdrawal of another]. – If after the last day for the filing of certificates of
6 candidacy, an official candidate of a registered or accredited political party dies, [withdraws]
7 **BECOMES PERMANENTLY INCAPACITATED**, or is disqualified for any cause, only a
8 person belonging to, and certified by, the same political party may file a certificate of candidacy
9 to replace the candidate who died, [withdrew] **BECAME PERMANENTLY**
10 **INCAPACITATED**, or was disqualified. The substitute candidate nominated by the political
11 party concerned may file [his] **THE** certificate of candidacy for the office affected in
12 accordance with the preceding sections not later than mid-day of the day of the election. If the
13 death, [withdrawal] **PERMANENT INCAPACITY**, or disqualification should occur between
14 the day before the election and mid-day of election day, said certificate may be filed with any
15 [board of election inspectors] **ELECTORAL BOARD** in the political subdivision where [he]
16 **ONE** is a candidate, or, in the case of candidates to be voted for by the entire electorate of the
17 country, with the Commission.

18
19 **PERMANENT INCAPACITY AS USED HEREIN SHALL REFER TO MENTAL OR**
20 **PHYSICAL IMPAIRMENT, OR BOTH, BASED ON A VERIFIED MEDICAL**
21 **REPORT OF A LICENSED PHYSICIAN, RENDERING THE CANDIDATE UNABLE**
22 **TO PERFORM THE ELECTED POSITION'S DUTIES, AND WHICH APPEARS**
23 **REASONABLY CERTAIN TO CONTINUE WITHOUT SUBSTANTIAL**
24 **IMPROVEMENT UNTIL THE TERM OF OFFICE WHICH THE CANDIDATE**
25 **SEEKS TO BE ELECTED FOR."**

1 **SEC. 2.** Within thirty (30) days from the effectivity of this Act, the Commission on Elections shall,
2 upon consultation with relevant stakeholders, issue the rules and regulations to
3 implement the provisions of this Act.

4
5 **SEC. 3.** If any provision or part of this Act is declared unconstitutional or invalid, the remaining
6 parts or provisions not affected shall remain in full force and effect.

7
8 **SEC. 4.** All laws, presidential decrees, executive orders, rules and regulations, other issuances
9 and parts thereof which are inconsistent with the provisions of this Act are hereby
10 repealed or modified accordingly.

11
12 **SEC. 5.** This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or
13 in a newspaper of general circulation.

14
15 *Approved,*

House of Representatives
Committee Affairs Department

FACT SHEET

House Bill No. 10524

(in substitution of House Bills Numbered 437, 5692, 8794, 9069, and 10186)

"AN ACT MODIFYING THE GROUNDS FOR SUBSTITUTION OF CANDIDATES, AMENDING FOR THE PURPOSE SECTION 77 OF BATAS PAMBANSA BLG. 881, OTHERWISE KNOWN AS THE OMNIBUS ELECTION CODE OF THE PHILIPPINES"

Introduced by Representatives:

Johnny Ty Pimentel, Eduardo "Bro. Eddie" C. Villanueva, Ma. Victoria Co-Pilar, Ruwel Peter S. Gonzaga, Florida "Rida" P. Robes, Maximo Y. Dalog, Jr., Wowo Fortes, and Reynante U. Arrogancia

Committee Referral: COMMITTEE ON SUFFRAGE AND ELECTORAL REFORMS

Committee Chairperson: MAXIMO Y. DALOG, JR.

OBJECTIVE:

- To prevent the mockery of the electoral system by abolishing withdrawal of certificate of candidacy as a ground for substitution of candidates by political parties that field candidates merely as placeholders just to comply with the electoral deadline of filing for candidacy;
- To strengthen the electoral system by including incapacity as additional ground for substitution of candidates in order to ensure that only those who are put in front of the public during the campaign will be the ones to serve the people should they be elected.

KEY PROVISIONS:

- Removes withdrawal as ground for substitution of candidates;
- Adds and defines 'permanent incapacity' as a ground for substitution of candidates;

RELATED LAW:

- Batas Pambansa Blg. 881, otherwise known as the "Omnibus Election Code of the Philippines"