



HOUSE OF REPRESENTATIVES

H. No. 8389

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BY REPRESENTATIVES DY (F.), MARCOS, FLORES, DEL MAR, BARBERS, SANTOS (M.A.), GUTIERREZ, ROMULO, DOMOGAN, SUAN, SALCEDA, POE, GALEOS, MACAPAGAL-ARROYO, YAP (A.), QUIMBO, ESPARES, LUISTRO, LACSON, PUNO, PIMENTEL, MARQUEZ, RIVERA, CHAN (J.), AQUINO-MAGSAYSAY, LEDESMA, DIMAGUILA, SUANSING (B.V.), GARIN, BANCORO, BARONDA, NOLASCO, ROMUALDO, ALBANO, FUENTEBELLA, ESTRELLA, MATUGAS, YNARES, PANOTES, HERNANDEZ (F.), TULFO (R.W.), GARCIA (J.A.), ORTEGA, BALINDONG, ROQUE, CAOAGDAN, MACASAET, TEVES, SALVADOR, SOLON, VILLA, TANJUATCO, LAGBAS, AGYAO, BAUTISTA (J.M.), PEREZ, UY (R.), MACEDA, ARROGANCIA, ALMARIO (C.M.), LEGAZPI, LAGDAMEO (J.M.), ARBISON (M. JR.), BAÑAS-NOGRALES, TULFO (J.), PUMAREN, ENVERGA, YULO, CORVERA, ALMARIO (D.), MALAPITAN, OAMINAL (H.), TARRIELA, ANGELES, MERCADO, DOMINGO, UY (D.C.), LEGARDA, GORRICETA, CAYTON, VALERIANO, CHUNGALAO, BIRON, MANGUDADATU, DY (F.M.C.), BARBA, MIRAFLORES, MADRONA, NAVA, ORDANES, PLEYTO, ROMAN, LABADLABAD, MENDOZA, YATCO, TAN (S.), TAN (A.), TAN (J.), SHIMURA, MANQUIZ, MOMO, CUA, ALANO, BELTRAN, ATAYDE, TALLADO, PASCUAL, YAP (J.G.), EMANO, ALMONTE, GONZALES (A.M.), BRIONES, AGARAO, PRIMICIAS-AGABAS, RODRIGUEZ (E.), DY (I.P.), LAZATIN, ZAMORA (M.C.), TIENG, HORIBATA, ORETA, DEGAMO, ESPINA, DE VENECIA, BOLILIA, TOLENTINO, HERNANDEZ (C.A.), CO-PILAR, BULUT-BEGTANG, CENIZA, CRUZADO, DALOG, FERRER (A.), GARCIA (D.), VELOSO, MATIBAG, SALVACION, YAMSUAN, VARGAS-ALFONSO, ANGARA, GUINTU, VIOLAGO, RODRIGUEZ (M.), BENITEZ (A.), BERNOS (C.), COLLANTES, HERNANDEZ (D.), CAGAS, CALDERON, LARA, RECTO, RODRIGUEZ (R.), SINGSON-MEEHAN, HERNANDEZ (R.), GOMEZ, VELOSO-TUAZON, ADIONG, LAGDAMEO (M.Y.M.), ABANTE, GONZALES (R.), BENITEZ (J.M.), GATCHALIAN AND CASTRO

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**AN ACT PROHIBITING POLITICAL DYNASTIES IN NATIONAL AND LOCAL ELECTIVE OFFICES**

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

1       SECTION 1. **Short Title.** – This Act shall be known as the “*Anti-Political*  
2 *Dynasty Act.*”

3       SEC. 2. **Declaration of Policy.** – It is the declared policy of the State to ensure  
4 equal access to public office and opportunities for public service. To this end, the State  
5 shall prohibit political dynasties in all national and local elective offices.

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

7       (a) *Political dynasty* refers to the concentration, consolidation and dominance of  
8 elective political power by spouses or persons related to one another.

1 (b) *Political dynasty relationship* refers to an existing familial relationship with an  
2 elected public official, such as the spouse, direct ascendant or descendant, sibling, or any  
3 other person related within the second civil degree of consanguinity or affinity, whether  
4 legitimate or illegitimate, full or half-blood.

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6 (c) *Elective positions* refer to the positions of:

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8 (i) President, vice-president, and senator at the national level;

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10 (ii) Member of the House of Representatives representing a legislative district;

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12 (iii) Governor, vice-governor, and members of the Sangguniang Panlalawigan at  
13 the provincial level; and

14  
15 (iv) City/municipal mayor, city/municipal vice-mayor, and members of the  
16 Sangguniang Panlungsod/Sangguniang Bayan at city/municipal level.

17  
18 (d) *Relative* refers to any person related to an elected public official within the second  
19 degree of consanguinity or affinity, whether legitimate or illegitimate, full or half-blood.

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21 (e) *Spouse* refers to the lawful or common-law partner of an elected public official.

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23 **SEC. 4. *Applicability.*** – This Act shall be applicable to the next election and to all  
24 subsequent elections.

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26 **SEC. 5. *Prohibited Dynasty Relationships.*** – Political dynasty relationships as  
defined under Section 3 of this Act are hereby prohibited.

27 Such prohibition shall apply to any of the following political dynasty relationships:

28 (a) Spouses or relatives within the second civil degree of consanguinity or affinity  
29 simultaneously holding any national elective position;

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31 (b) Spouses or relatives within the second civil degree of consanguinity or affinity  
32 simultaneously holding membership in the House of Representatives within the same  
33 legislative district;

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35 (c) Spouses or relatives within the second civil degree of consanguinity or affinity  
36 simultaneously holding any elective office within the same provincial government; and

37  
38 (d) Spouses or relatives within the second civil degree of consanguinity or affinity  
39 simultaneously holding any elective office within the same city or municipal government.

1        **SEC. 6. *Sworn Statement and Undertaking.*** – Any person seeking an elective  
2 office shall, upon filing of a certificate of candidacy, execute and file a sworn statement  
3 and undertaking with the Commission on Elections (COMELEC) declaring the following:

4        (a) That the person seeking an elective office has no spouse or relative seeking  
5 the same national or local elective office that would result to any prohibited  
6 dynastic relationship;

7  
8        (b) That in the event the spouse or relative of a person seeking an elective office  
9 nevertheless files a certificate of candidacy that would result in a prohibited political  
10 dynasty, those concerned shall comply with the procedure prescribed under this Act to  
11 determine who shall be allowed to assume the elective office; and

12  
13        (c) That in the event that the person seeking an elective office should learn thereafter  
14 that filing/s of candidacy has/have been made which would create a potential political  
15 dynasty relationship as provided in this Act, the person seeking an elective office shall  
16 report the same within five (5) days therefrom to the COMELEC wherein the certificate/s  
17 of candidacy was/were filed.

18        **SEC. 7. *Effect of Political Dynasty Relationship.*** – In cases where the elections  
19 result in a political dynasty relationship, the COMELEC shall suspend the proclamation  
20 of covered relatives and decide based on the following:

21        (a) When two (2) or more relatives are elected to positions with multiple seats within  
22 the same political unit, such as Senators and members of the sanggunian, the candidate  
23 obtaining the highest number of votes shall assume office; or

24  
25        (b) When two (2) or more relatives are elected to distinct positions within the same  
26 political unit, the candidate elected to the higher office shall assume the same.

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28        The rules on succession shall apply, if applicable; otherwise, the candidate who  
29 obtained the next highest number of votes shall be proclaimed and assume office.

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31        Nothing herein shall preclude any elected official from voluntarily withdrawing their  
32 candidacy, as the case may be.

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34        **SEC. 8. *Punishable Acts.*** – The following acts shall be punished as an election  
35 offense in accordance with the provisions of the Omnibus Election Code:

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37        (a) Willful concealment or falsehoods made in the sworn statement required under  
38 Section 6 of this Act;

1 (b) Submission of spurious, forged, or falsified documents required under this Act;

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3 (c) Malicious or frivolous filings to trigger the anti-political dynasty prohibitions  
4 contained in this Act;

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6 (d) Using, threatening to use, or causing the use of force, violence, coercion,  
7 intimidation, or extortion to compel the filing or non-filing of certificates of candidacies or  
8 any agreement made in accordance with Section 7 of this Act, whether or not the offender  
9 shall have attained their purpose;

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11 (e) Resigning an elective office for the purpose of enabling a spouse or relative to  
12 assume or seek such position in contravention of this Act; and

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14 (f) Any other willful act to allow the existence or perpetuation of political dynasty  
15 relationships as provided under Section 5 of this Act.

16 **SEC. 9. *Implementing Rules and Regulations.*** – Within ninety (90) days after  
17 the effectivity of this Act, the COMELEC shall promulgate the necessary rules and  
18 regulations for the effective implementation of this Act.

19 **SEC. 10. *Separability Clause.*** – If any provision or part of this Act is declared  
20 invalid or unconstitutional, the remaining parts or provisions not affected shall remain in  
21 force and effect.

22 **SEC. 11. *Repealing Clause.*** – All laws, decrees, executive orders, proclamations,  
23 rules and regulations contrary to or inconsistent with the provisions of this Act are hereby  
24 repealed or modified accordingly.

25 **SEC. 12. *Effectivity.*** – This Act shall take effect fifteen (15) days after its  
26 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,