

HOUSE OF REPRESENTATIVES  
Quezon City, Metro Manila

EIGHTEENTH CONGRESS  
*First Regular Session*

3149  
HOUSE BILL NO. \_\_\_\_\_

---

Introduced by **REP. ROMAN T. ROMULO**  
**Lone District, Pasig City**

---

**AN ACT**  
**PROHIBITING THE ESTABLISHMENT OF POLITICAL DYNASTIES**

**EXPLANATORY NOTE**

Article II, Section 26 of the 1987 Constitution provides that *"the state shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law."*

While the State recognizes the pernicious effects of political dynasties, there is still no enabling law to prohibit its existence in the political arena. Influential clans and families that are well-entrenched in the political arena have made positions in government their virtual playgrounds, resulting in the proliferation of small monarchies all over the country. This makes a mockery of what should otherwise be a level-playing field in politics and espouse political inequities.

During the debates in the Constitutional Commission of 1986, Commissioner Sarmiento explained the rationale of prohibiting political dynasties:

*"By including this provision, we widen the opportunities of competent, young, and promising poor candidates to occupy important positions in the government. While it is true we have government officials who have ascended to power despite accident of birth, they are exemptions to the general rule. The economic standing of these officials would show that they come from powerful clans with vast economic fortunes."*

Unfortunately, despite numerous attempts to introduce an anti-political dynasty law as early as the 8<sup>th</sup> Congress to effect electoral reforms and level the political landscape, Congress failed to pass such a law.

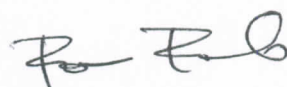
This encumbrance can be attributed to the fact that many members of Congress came from politically dominating political clans. Over the years, they have successfully argued for the electorate's right to choose their elected leaders using the oft-repeated principle that "sovereignty resides in the people and all government authority emanates from them".

This proposed measure seeks to strike a balance between the two competing fundamental principles of electorate's sovereignty and political dynasty. This Law is in consonance with the constitutional precept that laws should be interpreted not in the letter that killeth but to the spirit that vivifieth.

Hence, the proposed measure seeks to prohibit the spouse or person related within the second degree of consanguinity or affinity, whether legitimate or illegitimate, full or half blood, to an incumbent elective official seeking re-election, to hold or run for any elective office in the same city and/or province in the same election.

Furthermore, the bill also prohibits two or more persons who have political dynasty relationship from running simultaneously for an elective office within the same city and/or province, even if neither is so related to the incumbent public official.

The early passage of this measure is earnestly sought.



ROMAN T. ROMULO

HOUSE OF REPRESENTTIVES  
Quezon City, Metro Manila

EIGHTEENTH CONGRESS  
*First Regular Session*

HOUSE BILL NO. 3149

---

Introduced by **REP. ROMAN T. ROMULO**  
**Lone District, Pasig City**

---

**AN ACT**  
**PROHIBITING THE ESTABLISHMENT OF POLITICAL DYNASTIES**

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

1       **SECTION 1. *Short Title.*** - This Act shall be known as “The Anti-Political Dynasty  
2   Act of 2019”

3

4       **SECTION 2. *Declaration of Policy.*** - It is hereby declared the policy of the State to  
5   guarantee equal access and opportunity to public office and service to the public. Towards  
6   this end, the State adopts a policy of prohibiting political dynasties as hereinafter defined to  
7   give force and effect to this policy and prevent the concentration of political power to a  
8   limited few.

9

10       **SECTION 3. *Definition of Terms.*** - The following terms, as used herein shall mean:

11

12           1. Political Dynasty – refers to the concentration, consolidation or perpetuation  
13           of political powers by persons related to one another.

14



1 2. Political Dynasty Relationship – refers to the situation where a person who is  
2 the spouse or a relative within the second civil degree of consanguinity or  
3 affinity of an incumbent elective official holds or runs for an elective office  
4 simultaneously with the incumbent elective official within the same city  
5 and/or province or occupies the same office immediately after the term of  
6 office of the incumbent elective official.

7  
8 A political dynasty relationship shall also be deemed to exist where two (2) or  
9 more persons who are spouses or related to one another within the second civil  
10 degree of consanguinity or affinity run simultaneously for elective public  
11 office within the same city and/or province, even if neither is so related to the  
12 incumbent elective official.

13  
14 3. Second Civil Degree of Consanguinity or Affinity – refers to the degree of  
15 relationship by blood or affinity of a person with his/her brother or sister,  
16 direct ascendant or direct descendant, whether legitimate or illegitimate, full or  
17 half blood, including their spouses.

18  
19 4. Term Limits – refers to the maximum term limits for elected public officials as  
20 provided for in the Constitution.

21  
22 5. Running for an Elective Office – refers to the period that commences upon the  
23 filing of the certificate of candidacy by a candidate with the Commission on  
24 Elections (COMELEC).

25  
26 6. Holding an Elective Office – refers to the period that commences from the  
27 moment the public official takes his or her oath of office.

28  
29 **SECTION 4. *Applicability.*** - This Act shall be applicable to the next elections and to  
30 all subsequent elections thereafter. In the case of incumbent elected officials who have  
31 political dynasty relationships with one another in the same city and/or province, they shall  
32 be allowed to run in all subsequent elections until they reach their term limit as provided by  
33 law.

1       **SECTION 5. *Persons Covered; Prohibited Candidates.*** – No spouse or person  
2 related within the second degree of consanguinity or affinity, whether legitimate or  
3 illegitimate, full or half blood, to an incumbent elective official seeking re-election, shall be  
4 allowed to hold or run for any elective office in the same city and/or province in the same  
5 election.

6  
7       In case the constituency of the incumbent elective official is national in character, the  
8 above relatives shall be disqualified from running only within the same province where the  
9 former is a registered voter.

10  
11       In case where none of the candidates is related to an incumbent elective official within  
12 the second degree of consanguinity or affinity, but are related to one another within the said  
13 prohibited degree, they, including their spouses shall be disqualified from holding or running  
14 for any local elective office within the same city and/or province in the same election.

15  
16       In all cases, no person who has a political dynasty relationship to the incumbent shall  
17 immediately succeed to the position of the latter: *Provided, however,* that this Section shall  
18 not apply to Punong Barangays or members of the Sangguniang Barangay.

19  
20       **SECTION 6. *Statement with the Commission on Elections.*** – Any person running  
21 for any elective public office except that of a barangay official shall file a sworn statement  
22 with the COMELEC that he or she does not have a political dynasty relationship with any  
23 incumbent public official running for an elective public office in the same city and/or  
24 province other than the position earlier mentioned.

25  
26       **SECTION 7. *Period for Filing Petition for Disqualification.*** – Any citizen of voting  
27 age, candidate or duly registered political party organization or coalition of political parties  
28 may file with the COMELEC, after the last day for filing of certificates of candidacy and  
29 before proclamation, a verified petition to disqualify a candidate on grounds provided for  
30 under Section 5 hereof.

31  
32       **SECTION 8. *Summary Proceedings.*** – The petition shall be heard and decided  
33 summarily by the COMELEC, after due notice and hearing, and its decision shall be  
34 executory after the lapse of five (5) days from receipt thereof by the losing party.



1  
2       **SECTION 9. *Effect of Violation of Prohibition.*** – The COMELEC shall, upon the  
3 filing of a verified petition by any interested party, deny due course to any certificate of  
4 candidacy filed in violation of this Act and the votes cast for the disqualified candidate, if  
5 any, shall not be counted nor shall such candidate be proclaimed nor be qualified to assume  
6 office.

7  
8       Violation of this Act and the rules and regulations of the COMELEC issued to  
9 implement this Act shall also constitute an election offense punishable under the first and  
10 second paragraphs of Section 264 of the Omnibus Election Code (Batas Pambansa Blg. 881)

11  
12       **SECTION 10. *Effect of Petition If Unresolved Before Completion of Canvass.*** – If  
13 the petition, for reasons beyond the control of the COMELEC cannot be decided before the  
14 completion of the canvass, the votes cast for the respondent shall be included in the counting  
15 and canvassing: *Provided, however,* that if the basis for such disqualification is strong, his or  
16 her proclamation shall be suspended notwithstanding the fact that he or she received the  
17 winning number of votes in the election.

18  
19       In the event a candidate disqualified under this Act shall have been proclaimed and  
20 has assumed office, his or her political dynasty relationship shall be a ground for  
21 disqualification in appropriate *quo warranto* proceeding.

22  
23       **SECTION 11. *Rules and Regulations.*** – The Commission on Elections shall  
24 promulgate the necessary rules and regulations to effectively implement the provisions of this  
25 Act.

26  
27       **SECTION 12. *Separability Clause.*** – If any part of this Act is held invalid or  
28 unconstitutional, the other parts or provisions thereof shall remain valid and effective.

29  
30       **SECTION 13. *Repealing Clause.*** – All laws, orders, issuances, rules and regulations  
31 or part thereof inconsistent with the provisions of this Act are hereby repealed, modified or  
32 amended accordingly.

**SECTION 14. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days  
after its publication in at least two (2) newspapers of general circulation.

*Approved,*