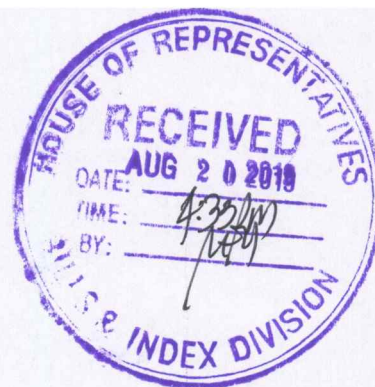


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

18th Congress
First Regular Session

HOUSE BILL NO. 4091



Introduced by: **HON. LORNA C. SILVERIO**

EXPLANATORY NOTE

Republic Act No. 7166, otherwise known as "An Act Providing Synchronized National and Local Elections and for Electoral Reforms, Authorizing Appropriations Therefor, and for Other Purposes," which took effect in 1991, limits the campaign expenditure to Php 10.00 for President and Vice-President, Php 5.00 for political parties and independent candidates, and Php 3.00 for other candidates.

For the past twenty eight (28) years, the candidates have been experiencing difficulty in trying to limit their spending in accordance with law since the amounts limiting their expenses as well as their political parties remained the same. Considering the effect of inflation wherein the prices of materials and their printing and reproduction, mass media advertisements, transportation, and other operational expenses have been increasing at an alarming rate for the past decades, the candidates can not take advantage of "economies of scale" as these amounts show that the allowable limits for campaign spending are really outdated.

A concrete proof that candidates are striving to spend with the allowable amounts provided by law is the fact that after every election, national or local, the Commission on Elections (COMELEC) is probing more than a thousand cases of election campaign overspending in courts against candidates.

One celebrated case was that of disqualified then Laguna Governor Emilio Ramon "E.R." Ejercito for incurring campaign expenses of more than Php6 Million for television advertisements alone when he was allowed to spend the total amount of only around Php4.5Million as the Province of Laguna has only a total of 1,525,522 registered voters in 2016.

Therefore, it is deemed appropriate to address this concern by our candidates by increasing the amount of their allowable political campaign expenditures.

In view of the foregoing, the immediate passage of this proposed measure is earnestly recommended.


LORNA C. SILVERIO

Republic of the Philippines
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AN ACT INCREASING THE AUTHORIZED CAMPAIGN EXPENDITURES OF CANDIDATES AND POLITICAL PARTIES AND DEFINING AN INDEPENDENT CANDIDATE FOR THIS PURPOSE, AMENDING SECTION 13 OF REPUBLIC ACT NO. 7166, ENTITLED, "AN ACT PROVIDING FOR SYNCHRONIZED NATIONAL AND LOCAL ELECTIONS AND FOR ELECTORAL REFORMS, AUTHORIZING APPROPRIATIONS THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. Section 13 of Republic Act No. 7166 is hereby amended to read as follows:

"Sec. 13 Authorized Expenses of Candidates and Political Parties – The aggregate amount that a candidate or registered political party may spend for election campaign shall be as follows:

- (a) For candidates – [Ten] [(Php 10.00)] Fifty Pesos for President (Php 50.00); Forty Pesos (Php 40.00) for Vice President; Thirty Pesos (Php 30.00) for Senators, District Congressman, Governor, Vice Governor, Board Members, Mayor, Vice Mayor and Councilors and Ten Pesos (Php 10.00) for Party List parties [and for other candidates, Three Pesos (Php 3.00)] for every voter currently registered in the constituency where [he] THE CANDIDATE filed [his] the certificate of candidacy: Provided, That, AN INDEPENDENT CANDIDATE OR a candidate without any political party and without support from any political party may be allowed to spend [Five] Forty pesos [(Php 5.00)] (Php 40.00) for every such voter; and
- (b) For political parties – [Five] Thirty pesos[(Php5.00)] (Php 30.00) for every voter currently registered in the constituency or constituencies where it has official candidates.

"FOR PURPOSES OF THIS ACT, AN INDEPENDENT CANDIDATE IS FURTHER DEFINED AS ONE WHO:

- A. IS NOT NOMINATED BY A DULY REGISTERED POLITICAL PARTY OR COALITION OF POLITICAL PARTIES OR ITS DULY AUTHORIZED REPRESENTATIVE:

- B. IS ISSUED A CERTIFICATE OF NOMINATION AND ACCEPTANCE (CONA) THAT HAS BEEN SUBMITTED BY A POLITICAL PARTY OR COALITION OF POLITICAL PARTIES NOT DULY REGISTERED WITH THE COMMISSION ON ELECTIONS (COMELEC);
- C. REPUDIATES A NOMINATION ISSUED BY A DULY REGISTERED POLITICAL PARTY OR COALITION OF POLITICAL PARTIES AT ANY TIME BEFORE THE DATE OF ELECTIONS;
- D. ACCEPTS A NOMINATION FROM MORE THAN ONE DULY REGISTERED POLITICAL PARTY FOR THE SAME CONSTITUENCY, EXCEPT IN CASES OF COALITION OF SAID POLITICAL PARTIES;
- E. FILES A CONA AFTER THE DEADLINE FOR THE FILING OF CERTIFICATE OF CANDIDACY (COC);
- F. FILES A COC WITHOUT A CONA;
- G. IS ISSUED A CONA THAT IS SUBSEQUENTLY CANCELLED, REVOKED, WITHDRAWN, OR SUBSTITUTED BY THE NOMINATING PARTY AT ANY TIME BEFORE THE DATE OF THE ELECTIONS; OR
- H. IS NOMINATED BY A DULY REGISTERED POLITICAL PARTY OR COALITION OF POLITICAL PARTIES BUT WHICH NOMINATION IS DENIED DUE COURSE BY THE COMELEC.

"Any provision of law to the contrary notwithstanding, any contribution in cash or in kind to any candidate or political party or coalition of parties for 'campaign purposes, duly reported to the Commission, shall not be subject to the payment of any gift tax"

SECTION 2. The COMELEC shall, within ninety (90) days after the effectivity of this Act, promulgate such rules and regulations necessary to implement this Act.

SECTION 3. If any provision or part hereof is declared unconstitutional, the remainder of this Act or any provision not affected shall remain in full force and effect.

SECTION 4. All laws, presidential decrees, executive orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 5. This Act shall take effect immediately after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,

Germe L. Muires