

9 NOV 11 P2:40

SENATE
S. B. No. 3522

RECEIVED BY



Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Political signs will start cropping up like mushrooms pretty soon, as another nationwide election approaches.

Candidates for public office uniformly define themselves as law-abiding citizens with the public good at heart. However, virtually every candidate allow or encourage their campaign workers to violate the law by posting hundreds of signs in the public right-of-way in the medians of major roads.

Incumbents vying for re-election and candidates presently occupying Government positions often use government funds and resources to bolster their election campaign. This creates an unfair advantage to the other candidates that do not have such resources at their disposal.

The political signs on private property, homes and businesses, are part of good political discourse. However, the act of erecting in Government property political signs by candidates who have access to them should be considered illegal so as to level the playing field for all aspiring candidates.

The proposed measure seeks to prohibit the posting of political signs on Government property. This measure also provides for restrictions and guidelines on the posting of political signs in different places in order to attain a fair election.


MIRIAM DEFENSOR SANTIAGO



Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 TO PROHIBIT THE POSTING OF POLITICAL SIGNS
3 ON GOVERNMENT PROPERTY

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

4 SECTION 1. *Short Title.* - This Act may be known as the “*Anti-Political Signs on*
5 *Government Property Act of 2009.*”

6 SECTION 2. *Definitions.* - The following terms as used in this Act shall have the
7 following meaning:

8 (a) *Candidate* - shall mean a person seeking public office.

9 (b) *Government property* - shall mean any tangible or real property held by the
10 government of the Philippines including any government owned easement
11 or highway.

12 (c) *Organization* - shall mean any political organization or political action group
13 advocating an issue in a special or general election.

14 (4) *Political sign* - shall mean all billboards, posters, banners or displays which
15 advocate a candidate for political office or any matter to be presented to
16 the electorate for vote.

17 (5) *Utility pole* - shall mean any pole erected for street lighting, power lines, and
18 cable television lines.

19 SECTION 3. *Prohibition of Political Signs* - Candidates for public office or other
20 persons having an interest in an election shall not place political signs which advocate
21 voting for or against candidates, or other matters to be considered by the electorate, on
22 government property.

23 SECTION 4. *Restrictions on Posting of Political Signs.* -

- 24 (1) No political sign may be erected or posted upon the shoulder of any roadway
25 (2) No political sign may be erected upon, on or within any government building,
26 or property, or nailed to any tree or attached to any fence on government
27 property.
28 (3) No political sign may be erected or posted within one hundred (100) feet of
29 any entrance to a public school, or upon any public school property,
30 including school fences and gates.
31 (4) No political sign may be posted upon any utility pole.
32 (5) No political signs may be posted upon any public park within the jurisdiction
33 of the Department of Public Works and Highways, or the City or
34 Municipality Mayors.
35 (6) No political sign may be erected or posted within one hundred (100) feet of
36 any intersection.

37 SECTION 5. *Removal of Signs.* – Any sign in violation of any of the provisions of
38 this Act shall be removed within forty-eight (48) hours by the candidate or organization
39 after notification by the Department of Public Works and Highways or City or
40 Municipality Mayor in which the sign is located.

41 A sign not removed within forty-eight hours of notification shall be removed
42 immediately by the Department of Public Works and Highways or the City or
43 Municipality Mayor.

44 SECTION 6. *Penalties.* – Any candidate pursuant to the definition of this Act
45 who shall authorize, order or perform any of the acts or practices constituting in whole or
46 in part a violation of Sections 3, 4, and 5 of this Act, shall upon conviction, be subject to
47 a fine of not less than One Hundred Thousand Pesos (P100,000.00) but not more than
48 Five Hundred Thousand pesos (P500,000.00) and imprisonment of not less than six (6)
49 months but not more than one (3) years, or both upon the discretion of the court.

50 In addition to the penalties provided in the preceding paragraph, the candidate
51 shall also suffer the penalty of special temporary disqualification.

52 SECTION 7. *Separability Clause.* – If any provision or part thereof, is held
53 invalid or unconstitutional, the remainder of the law or the provision not otherwise
54 affected shall remain valid and subsisting.

55 SECTION 8. *Repealing Clause.* – Any law, presidential decree or issuance,
56 executive order, letter of instruction, administrative order, rule or regulation contrary to,
57 or inconsistent with the provisions of this Act is hereby repealed, modified or amended
58 accordingly.

59 SECTION 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days
60 after its publication in at least two (2) newspapers of general circulation.

Approved.