

THIRTEENTH CONGRESS OF THE RESPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

2014 JUL 27 15:04

SENATE
S. B. No. 1527

SECRETARY: *[Signature]*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Republic Act No. 7166 (The 1991 Synchronized Election Law) contains sections designed to compel publicity with respect to electoral contributions and expenses.

This bill seeks to address two important areas concerning election related expenses:

First, it proposes to designate the particular Commission on Elections (COMELEC) office where the statements of expenditures and contributions in connection with the election are to be filed.

Second, it seeks to correct the flaw in the existing law. At present, the provisions decriminalize only the failure to declare election expenses. Failure to file statements of election contributions by the contributor required under Sections 98 and 99 of the Omnibus Election Code is still classified as an election offense.

This bill also proposes that all violations of the provisions concerning electoral contributions and expenditures be penalized administratively.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

FILED IN THEIR RESPECTIVE OFFICES, AND WITHIN TEN (10) DAYS AFTER THE LAST DAY FOR FILING OF THE STATEMENTS, SEND THE ORIGINAL COPIES THEREOF TO THE LAW DEPARTMENT OF THE COMMISSION. THEREAFTER, THE COMMISSION SHALL PUBLISH IN TWO (2) NEWSPAPERS OF GENERAL CIRCULATION, A LIST OF ALL THE WINNING CANDIDATES AND POLITICAL PARTIES SHOWING THE TOTAL CONTRIBUTIONS AND EXPENDITURES IN FIGURES.

No person elected to any public office shall enter upon the duties of his office until he has filed the statement of contributions and expenditures herein required.

The same prohibition shall apply if the political party which nominated the winning candidate fails to file the statements required herein within the period prescribed by this Act.

[Except candidates for the elective barangay office.] [f] Failure OF ANY WINNING OR LOSING CANDIDATE OR POLITICAL PARTY to file the statements or reports in connection with electoral contributions and expenditures as required herein AND FAILURE TO POST A BOND, THE AMOUNT OF WHICH SHALL BE DETERMINED BY THE COMMISSION, AT THE TIME OF FILING THE CERTIFICATE OF CANDIDACY shall constitute an administrative offense for which the offenders shall be liable to pay an administrative fine ranging from [One thousand pesos (P1,000.00) to] Thirty thousand pesos (P 30,000.00) TO ONE HUNDRED HUNDRED THOUSAND PESOS (P 100,00.00), at the discretion of the Commission.

The fine shall be paid within thirty (3) days from receipt of notice of such failure, otherwise, it shall be enforced by a writ of execution issued by the Commission against the properties of the offender.

SECTION 2. *Separability Clause.* - If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 3. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provision of this Act is hereby repealed, modified, or amended accordingly.

SECTION 4. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.

FN: 799