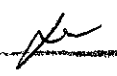


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SENATE

S. B. No. 1922

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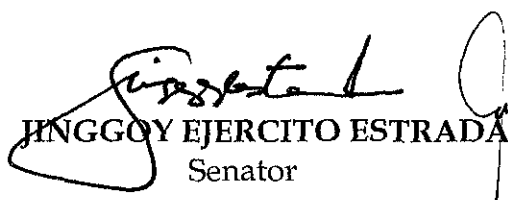
Introduced by **SENATOR JINGGOY EJERCITO ESTRADA**

EXPLANATORY NOTE

The recently concluded 2004 national elections were characterized by widespread and systematic fraud at all levels with incidents of violence and terrorism in certain areas. Although present election laws provide for penalties for the commission of election-related offenses these, however, are not enough so as to deter violators from committing the same.

This proposed legislative measure then seeks to increase the range of penalties for the commission of certain election-related offenses in order to provide a better deterrent with the end in view of ensuring clean, orderly, honest and credible elections for the country's future generation.


Immediate passage of this bill is thus earnestly recommended.


JINGGOY EJERCITO ESTRADA
Senator

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

5 FEB 21 P2:31

SENATE

RECEIVED BY: 

S.B. NO. 1922

Introduced by Senator Jinggoy Ejercito Estrada

AN ACT
AMENDING ARTICLE 264 OF BATAS PAMBANSA BLG. 881, OTHERWISE KNOWN
AS THE OMNIBUS ELECTION CODE OF THE PHILIPPINES, AS AMENDED, AND
FOR OTHER PURPOSES

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

1 **SECTION 1.** Section 264 of Batas Pambansa Blg. 881, otherwise known as the
2 Omnibus Election Code, as amended, is hereby amended to read as follows:

3

4 **"SEC. 264. Penalties.** – Any person found guilty of any election
5 offense under this Code shall be punished with imprisonment of not
6 less than **SIX (6) YEARS AND ONE (1) DAY** [one year] but not more than
7 **TWELVE (12) YEARS** [six years] and shall not be subject to probation.

8 In addition, the guilty party shall be sentenced to suffer
9 **PERMANENT** disqualification to hold public office and deprivation of

10 the right of suffrage. If he is a foreigner, he shall be sentenced to
11 deportation which shall be enforced after the prison term has been

12 served. Any political party, **COALITION PARTY, PARTY-LIST, OR**
13 **GROUP ORGANIZED FOR POLITICAL PURPOSE** found guilty

14 shall be sentenced to pay a fine of not less than **FIVE**
15 **HUNDRED THOUSAND (Php 500,000.00)** [ten thousand] pesos, which

1 shall be imposed upon such party after criminal action has
2 been instituted in which their corresponding officials have been found
3 guilty.

4 In case of prisoner or prisoners illegally released from any
5 penitentiary or jail during the prohibited period as provided in
6 Section 261, paragraph (n) of this Code, the director of prisons,
7 provincial warden, keeper of the jail or prison, or persons who are
8 required by law to keep said prisoner in their custody shall, if
9 convicted by a competent court, be sentenced to suffer the penalty of
10 **RECLUSION PERPETUA TO DEATH** [*prison mayor* in its maximum
11 period] if the prisoner or prisoners so illegally released commit any
12 act of intimidation, terrorism or interference in the election.

13
14 **SEC. 2. Repealing Clause.** – All laws, presidential decrees and issuances,
15 executive orders, rules and regulations or parts thereof inconsistent with the provisions
16 of this Act are hereby repealed or modified accordingly.

17
18 **SEC. 3. Effectivity Clause.** - This Act shall take effect after fifteen (15) days
19 following the completion of its publication in the *Official Gazette* or in at least two (2)
20 newspapers of general circulation.

21
22
23 Approved,