

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Second Regular Session* )



SENATE  
S.B. NO. 2624

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Introduced by **SENATOR IMEE R. MARCOS**

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**AN ACT  
AMENDING SECTIONS 3, 4 AND 6 OF REPUBLIC ACT NO. 9006 ALSO  
KNOWN AS THE FAIR ELECTIONS ACT TO INCLUDE STATIC AND LED  
BILLBOARDS AND OTHER OUTDOOR ADVERTISING MEDIA AS LAWFUL  
ELECTION PROPAGANDA**

EXPLANATORY NOTE

The form of expression is just as important as the information conveyed that it forms part of the expression.<sup>1</sup>

As elections have evolved due to technological advancements, so too have the means through which political candidates convey their message to the public. Outdoor advertising, particularly static and LED billboards, provides visually compelling platforms for political candidates to convey their message to the public. Unlike radio or television advertisements where the ads are displayed for only short moments at a time, advertisements through LED or static billboards allow candidates and parties to promote their platforms for much longer durations. Just as important, LED or static billboards allow for larger displays of the message being conveyed. The effect of all these is that there is a better possibility that the message being conveyed will reach its intended audience.

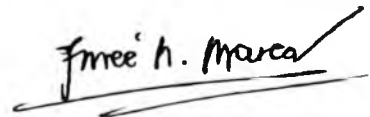
In addition, contracting or leasing a billboard spot is generally cheaper than contracting advertisements in radio, television, and newspapers. Hence, campaigning through outdoor media like static and LED billboards helps level the playing field for candidates, parties, and causes which have limited resources. Indeed, these media have the potential to enhance fairness, inclusivity, and transparency in the electoral process.

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<sup>1</sup> Diocese of Bacolod vs. COMELEC and Atty. Majarucon, G.R. No. 205728, January 21, 2015.

Unfortunately, static and LED billboards are not expressly included in the list of lawful election propaganda under Republic Act No. 9006 or the Fair Election Act. It is high time already to allow candidates and parties to include the aforementioned media as part of their campaign strategies. Thus, it is imperative to amend Republic Act No. 9006 or the Fair Election Act to recognize the role of static and LED billboards, along with other outdoor advertising media as legitimate election propaganda.

In view of the foregoing reasons, the immediate passage of this bill is earnestly sought.

A handwritten signature in black ink that reads "Imee R. Marcos". The signature is written in a cursive style and is underlined with a single horizontal line.

**IMEE R. MARCOS**



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**ELECTION PROPAGANDA**

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

1 **SECTION 1.** Section 3 of RA 9006, as amended, also known as the Fair Elections Act,  
2 is hereby amended to read as follows:

3  
4 "Sec. 3. *Lawful Election Propaganda.* – Election propaganda whether  
5 on television, cable television, radio, newspapers or any other medium,  
6 **INCLUDING OUTDOOR STATIC AND LIGHT-EMITTING DIODE**  
7 **(LED) BILLBOARDS AND MOBILE OR TRANSIT ADVERTISEMENT,**  
8 is hereby allowed for all registered political parties, national, regional,  
9 sectoral parties or organizations participating under the party-list elections  
10 and for all bona fide candidates seeking national and local elective  
11 positions subject to the lamination on authorized expenses of the  
12 candidates and political parties, observance of truth in advertising and to  
13 the supervision and regulation by the Commission on Elections  
14 (COMELEC).

15  
16 For the purpose of this Act, lawful election propaganda shall  
17 include:

18 3.1. Pamphlets, leaflets, cards, decals, stickers or other written or  
19 printed materials the size of which does not exceed eight and one-  
20 half inches in width and fourteen inches in length;

- 1 3.2. Handwritten or printed letters urging voters to vote for or against  
2 any particular political party or candidate for public office;  
3
- 4 3.3. Cloth, paper or cardboard posters whether framed, or posted, with  
5 an area not exceeding two (2) feet by three (3) feet, except that,  
6 at the site and on the occasion of a public meeting or rally, or in  
7 announcing the holding of said meeting or rally, streamers not  
8 exceeding three (3) feet by eight (8) feet in size, shall be allowed:  
9 Provided, That said streamers may be displayed five (5) days  
10 before the date of the meeting or rally and shall be removed within  
11 twenty-four (24) hours after said meeting or rally;  
12
- 13 3.4. Paid advertisements in print or broadcast media: Provided, That  
14 the advertisements shall follow the requirements set forth in  
15 Section 4 of this Act; [~~and~~]  
16
- 17 3.5. **OUTDOOR AND STATIC OR LED BILLBOARDS OWNED BY  
18 PRIVATE ENTITIES OR PERSONS. FOR THE PURPOSE OF  
19 THIS ACT, "BILLBOARD" MEANS A SIGNBOARD,  
20 IDENTIFICATION, ILLUSTRATION, IMAGE, PICTURE OR  
21 ANY OTHER DEVICE FOR OUTDOOR ADVERTISEMENT  
22 CONSISTING OF A SUPPORT STRUCTURE, A DISPLAY OR  
23 MESSAGE AREA, AN OPTIONAL LIGHTING SYSTEM AND  
24 RELATED COMPONENTS INSTALLED ON LAND, BUILDING  
25 OR PROPERTY TO ATTRACT OR DIRECT ATTENTION TO A  
26 PARTICULAR PRODUCT, SERVICE, IDEA, INFORMATION,  
27 DESIGN, SYSTEM, ACTIVITY, INSTITUTION, BUSINESS,  
28 BELIEF AND/OR PERSONALITY. A STATIC BILLBOARD  
29 REFERS TO A TRADITIONAL BILLBOARD PRINTED ON A  
30 TARPULIN OR SOLID BOARD WHILE LED OR DIGITAL  
31 BILLBOARDS ARE ELECTRONIC DISPLAYS THAT ARE  
32 CONTROLLED REMOTELY BY COMPUTERS."**  
33
- 34 3.6. **MOBILE OR TRANSIT ADVERTISEMENT ON PUBLIC  
35 UTILITY VEHICLES PROVIDED THAT THE ADVERTISEMENT  
36 IS CONSISTENT WITH THE GUIDELINES OF THE LAND  
37 TRANSPORTATION AND FRANCHISING REGULATORY  
38 BOARD (LTFRB) FOR COMMERCIAL ADVERTISEMENTS.**  
39
- 40 3.7. **ALL OTHER FORMS OF ELECTION PROPAGANDA NOT  
41 PROHIBITED BY THE OMNIBUS ELECTION CODE OR THIS  
42 ACT."**

1 **SECTION 2.** Section 4 of RA 9006 is hereby amended to read as follows:

2 "Section 4. Requirements for Published or Printed and Broadcast Election  
3 Propaganda. –

4  
5 4.1. Any newspaper, newsletter, newsweekly, gazette or magazine  
6 advertising, posters, pamphlets, comic books, circulars, handbills,  
7 bumper stickers, streamers, sample list of candidates or any published  
8 or printed political matter and any broadcast of election propaganda by  
9 television or radio **OR ANY OUTDOOR ELECTION PROPAGANDA IN**  
10 **THE FORM OF STATIC OR LED BILLBOARDS OR**  
11 **MOBILE/TRANSIT ADVERTISEMENT** for or against a candidate or  
12 group of candidates to any public office shall bear and be identified by  
13 the reasonably legible or audible words "political advertisement paid  
14 for," followed by the true and correct name and address of the candidate  
15 or party for whose benefit the election propaganda was printed or aired.

16  
17 4.2. If the broadcast is given free of charge by the radio or television station,  
18 it shall be identified by the words "airtime for this broadcast was  
19 provided free of charge by" followed by the true and correct name and  
20 address of the broadcast entity.

21  
22 4.3. Print, broadcast or outdoor advertisements donated to the candidate or  
23 political party shall not be printed, published, broadcast, or exhibited  
24 without the written acceptance by the said candidate or political party.  
25 Such written acceptance shall be attached to the advertising contract  
26 and shall be submitted to the COMELEC as provided in Subsection 6.3.  
27 hereof.

28  
29 **SECTION 3.** Section 6 of RA 9006 is hereby amended to read as follows:

30  
31 "Section 6. Equal Access to Media Time and Space. – All registered parties and  
32 bona fide candidates shall have equal access to media time and space. The  
33 following guidelines may be amplified on by the COMELEC.

34  
35 6.1. Print advertisements shall not exceed one-fourth (1/4) page, in broad  
36 sheet and one-half (1/2) page in tabloids thrice a week per newspaper,  
37 magazine or other publications, during the campaign period.

38  
39 6.2. (a) Each bona fide candidate or registered political party for a nationally  
40 elective office shall be entitled to not more than one hundred twenty  
41 (120) minutes of television advertisement and one hundred eighty (180)  
42 minutes of radio advertisement whether by purchase or donation.

1 (b) Each bona fide candidate or registered political party for a locally elective  
2 office shall be entitled to not more than sixty (60) minutes of television  
3 advertisement and ninety (90) minutes of radio advertisement whether  
4 by purchase or donation.  
5

6 **"(C) EACH BONA FIDE CANDIDATE OR REGISTERED POLITICAL**  
7 **PARTY FOR A NATIONALLY ELECTIVE OFFICE SHALL BE ENTITLED TO**  
8 **NOT MORE THAN TWO (2) MONTHS OF OUTDOOR ADVERTISEMENT**  
9 **IN A CERTAIN STATIC OR LED BILLBOARD WHETHER BY PURCHASE**  
10 **OR DONATION, PROVIDED THAT A CANDIDATE OR REGISTERED**  
11 **POLITICAL PARTY CANNOT HAVE STATIC OR LED BILLBOARD**  
12 **ADVERTISEMENTS WITHIN A RADIUS OF ONE (1) KILOMETER FROM**  
13 **EACH OTHER."**  
14

15 **"(D) EACH BONA FIDE CANDIDATE FOR A LOCALLY ELECTIVE OFFICE**  
16 **SHALL BE ENTITLED TO NOT MORE THAN ONE (1) MONTH OF**  
17 **OUTDOOR ADVERTISEMENTS IN EITHER STATIC OR LED**  
18 **BILLBOARDS WHETHER BY PURCHASE OR DONATION, PROVIDED**  
19 **THAT A LOCAL CANDIDATE OR REGISTERED POLITICAL PARTY**  
20 **CANNOT HAVE STATIC OR LED BILLBOARD ADVERTISEMENTS**  
21 **WITHIN A RADIUS OF FIVE HUNDRED (500) METERS FROM EACH**  
22 **OTHER."**  
23

24 **"(E) EACH BONA FIDE CANDIDATE, WHETHER NATIONAL OR LOCAL,**  
25 **FOR ANY ELECTIVE POSITION MAY UTILIZE MOBILE OUTDOOR**  
26 **ADVERTISEMENTS IN PUBLIC UTILITY VEHICLES PROVIDED THAT**  
27 **THE DIMENSION OF THE ADVERTISEMENT IS CONSISTENT WITH THE**  
28 **GUIDELINES OF THE LAND TRANSPORTATION FRANCHISING AND**  
29 **REGULATORY BOARD ON TRANSIT ADVERTISEMENTS."**  
30

31 For this purpose, the COMELEC shall require any broadcast station or entity to  
32 submit to the COMELEC a copy of its broadcast logs and certificates of  
33 performance for the review and verification of the frequency, date, time and  
34 duration of advertisements broadcast for any candidate or political party. **THE**  
35 **COMELEC SHALL LIKEWISE REQUIRE ANY OUTDOOR COMPANY OR**  
36 **ENTITY TO SUBMIT TO THE COMELEC A COPY OF ITS CONTRACTS**  
37 **FOR ELECTION PROPAGANDA FOR THE REVIEW AND VERIFICATION**  
38 **OF THE FREQUENCY, DATE, TIME AND DURATION OF OUTDOOR**  
39 **ADVERTISEMENTS FOR ANY CANDIDATE OR POLITICAL PARTY."**  
40

1           **SECTION 4.** The Commission on Election shall promulgate the necessary  
2 implementing rules and regulations within sixty (60) days from the effectivity of this  
3 Act.

4           **SECTION 5.** All laws, rules and regulations which are inconsistent with this  
5 Act, are hereby repealed, amended or modified accordingly.

6  
7           **SECTION 6.** This Act shall take effect fifteen (15) days after its publication in  
8 the *Official Gazette* or in any two (2) newspapers of general circulation in the  
9 Philippines.

10  
*Approved,*