

SENATE

S. No. 2376

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Introduced by Senator JUAN MIGUEL F. ZUBIRI

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EXPLANATORY NOTE

Political party as defined by Republic Act no. 7941 refers to an organized group of citizens advocating an ideology or platform, principles and policies for the general conduct of government and which, as the most immediate means of securing their adoption, regularly nominates and supports certain of its leaders and members as candidates for public office.

However, these intended objectives of a political party system have been undermined by widespread party switching that only serves individual interest. Traditional politicians who were not nominated by their parties for the position that they desire could easily switch political parties that will favor him, even if their new party advocates ideology, platform or principles completely different from his original party.

This bill seeks to define and penalize political turncoats who flit from one party to another to serve their individual selfish motives. Effectively curbing the current rampant political party switching would ensure that membership in political parties will be relatively permanent, and the advocacies, principles and promises of these government officials, upon which their political party is grounded can be expected, if not exact.

Hence, immediate passage of this bill is earnestly sought.



JUAN MIGUEL F. ZUBIRI

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**AN ACT**  
**DEFINING AND PUNISHING POLITICAL TURNCOATISM**

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

1       **SECTION 1. Short Title.** - This Act shall be known as the "Anti-Political  
2 Turncoatism Act of 2010."  
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4       **SECTION 2. Declaration of Policy.** - It is hereby declared the policy of the State  
5 to punish turncoatism to ensure a genuine party system.  
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7       **SECTION 3. Definition of Turncoatism.** - As used in this Act, Political  
8 Turncoatism means:

9       A) Change of political party affiliation during an elective public officer's term of  
10 office;

11       B) Change of political party affiliation by any party member within six (6) months  
12 immediately preceding or following an election.  
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14 A change in party affiliation shall not constitute political turncoatism if it is:

15       a) Arising out of the abolition, merger or coalition of political parties where the  
16 party member is registered;

17       b) Due to expulsion in writing of the party member from his political party.  
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19       **SECTION 4. Prohibition on Turncoatism.** - No elective public officer may  
20 change his political party affiliation during his term of office and no candidate for any  
21 elective public office may change his political party affiliation within six (6) months  
22 immediately preceding or following an election. Notwithstanding the prohibition, the right  
23 of an elective public official to resign from his political party remains provided that he will

1 not join any other political party within six (6) months immediately preceding or following  
2 an election.

3  
4 **SECTION 5. *Penalties.*** - A political turncoat shall be:

- 5 a) Deemed to have forfeited his office, if he is an elected official who changes  
6 political party affiliation during his term of office within the periods prohibited;
- 7 b) Disqualified from running for any elective position in the next two succeeding  
8 elections immediately following the act of changing political party affiliation;
- 9 c) Prohibited from being appointed or from holding any position in a public or  
10 government office, including Government Owned and Controlled  
11 Corporations, for three (3) years after the expiration of his current term;
- 12 d) Prohibited from assuming any executive or administrative position in his new  
13 political party;
- 14 e) Directed to refund any and all amounts he received from his political party  
15 plus a fifty percent (50%) surcharge thereon.

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17 **SECTION 6. *Petition to Declare a Political Turncoat.*** - Any citizen of voting  
18 age, or any candidate, political party, or coalition of political parties, may file with the  
19 Commission on Elections a petition to declare a political turncoat subject to the  
20 penalties under this Act.

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22 **SECTION 7. *Implementing Rules and Regulations.*** - The Commission on  
23 Elections shall promulgate the Implementing Rules of this Act within sixty (60) days  
24 following its effectivity.

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26 **SECTION 8. *Repealing Clause.*** - Any law, presidential decree or issuance,  
27 executive order, letter of instruction, administrative order, rule or regulation contrary to,  
28 or inconsistent with the provisions of this Act is hereby repealed, modified or amended  
29 accordingly.

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31 **SECTION 9. *Separability Clause.*** - If any provision or part hereof is held invalid  
32 or unconstitutional, the remainder of the law or the provision not otherwise affected shall  
33 remain valid and subsisting.

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35 **SECTION 10. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days  
36 after its publication in at least two (2) newspapers of general circulation.

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38 Approved,