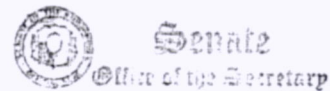


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



SENATE
S. No. 1946

'18 AUG 15 P6:50

Introduced by **Senator Richard J. Gordon**

RECEIVED

AN ACT REFORMING ELECTORAL CAMPAIGN BY INSTITUTING COMMON CAMPAIGN ADVERTISEMENTS, STAGING OF TOWN-HALL STYLE DEBATES, DESIGNATION OF COMMON POSTER AREAS IN EVERY BARANGAY, THE PROHIBITION OF PUBLICATION OF POLLS AND SURVEYS DURING THE CAMPAIGN PERIOD.

EXPLANATORY NOTE

Section 26 of Article II of the 1987 Constitution provides, in part, that “[t]he State shall guarantee equal access to opportunities for public service.” The opportunity to hold a public office for public service, particularly elective public offices, must therefore be made equally accessible to qualified citizens, notwithstanding their economic capacity to launch or sustain a campaign, with the objective of holding free, orderly, honest, peaceful and credible elections.

As it is, wealthy candidates have the funds to engage in campaign activities, including spending on expensive television advertisements. Candidates who have financial resources have an unfair advantage over poor candidates who have no funds or have meager funds to secure print space and airtime, and yet, may be equally qualified and deserving. At the same time, electoral campaigns have been short on substantive debates on issues, policy statements, and explanation of platform to the people. These are meant to help less wealthy but qualified candidates remain competitive in races against well-funded opponents.

This measure seeks to establish fairness and equity in elections, and ensure the ability of all candidates to compete in the elections by leveling the political playing field and reducing the influence of financial resources on the outcome of elections. This measure is intended to act as an equalizer between the rich and poor candidates. The publication in any form of media or broadcast coverage of results of electoral polls and surveys, researches, and analyses related to the preferences of voters in the elections shall also be prohibited during the campaign period and up to the day of elections in order to prevent the same from influencing the preference of voters.

In view of the foregoing, the immediate approval of this bill is hereby sought.

RICHARD J. GORDON
Senator

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AN ACT REFORMING ELECTORAL CAMPAIGN BY INSTITUTING COMMON CAMPAIGN ADVERTISEMENTS, STAGING OF TOWN-HALL STYLE DEBATES, DESIGNATION OF COMMON POSTER AREAS IN EVERY BARANGAY, THE PROHIBITION OF PUBLICATION OF POLLS AND SURVEYS DURING THE CAMPAIGN PERIOD.

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 "Campaign Reforms Act of
2 2018."

3 **SEC. 2. *Policy of the law.*** - Section 26 of Article II of the 1987 Constitution provides
4 that "[t]he State shall guarantee equal access to opportunities for public service." It
5 is therefore the policy of the law to establish fairness and equity in elections and
6 make the opportunity to hold a public office for public service, particularly elective
7 public offices, equally accessible to qualified citizens. Furthermore, it is the policy of
8 the law to encourage greater voter participation in elections.

9 **SEC. 3. *Prohibition against election publicity or propaganda.*** - During the
10 campaign period, no paid publicity or propaganda relating to the elections, whether
11 by means of broadcast on television, radio, printed or social media, or through
12 wireless or digital means, shall be made or caused to be made by any person except
13 the Commission on Elections.

14 Any person found guilty of violating this Section shall be punished with
15 imprisonment of not less than one (1) year but not more than six (6) years and shall
16 not be subject to probation. In addition, any person convicted of violating this
17 section shall be sentenced to suffer disqualification to hold public office and
18 deprivation of the right of suffrage. Any political party found guilty shall be
19 sentenced to pay a fine of not less than ten (10) million pesos, which shall be
20 imposed upon such party after criminal action has been instituted in which their
21 corresponding officials have been found guilty.

1 **SEC. 4. *COMELEC Time and COMELEC Space for common campaign***
2 ***advertisement for candidates for President, Vice President and Senator.*** - The
3 Commission on Elections shall acquire radio and television time from all nationwide
4 radio and television stations to be known as "COMELEC Time", which shall be used
5 for common campaign advertisements and debates among the duly-registered
6 candidates for President, Vice President and Senator within the area of coverage of
7 such radio and television stations. For this purpose, the franchise of all radio
8 broadcasting and television stations are hereby amended so as to provide radio and
9 television time, free of charge, to the COMELEC during the campaign period to
10 implement this section.

11 Radio and television stations, newspapers, magazines, other printed media, and
12 digital media content producers may stage candidate debates, provided that they
13 are not owned or controlled by a political party, political committee or a candidate.

14 Nothing in this Section shall be construed to restrict any person's expression of
15 belief in a candidate or opinion of his or her qualifications, or the flow of media
16 reporting.

17 **SEC. 5. *COMELEC Time and Space for common campaign advertisement for***
18 ***candidates for Member of the House of Representatives and elective local***
19 ***government positions, except elective barangay positions.*** - The Commission on
20 Elections shall acquire radio and television time from all local radio and television
21 stations, which shall be used for common campaign advertisements for, and debates
22 among, candidates for Member of the House of Representatives and local
23 government positions, except elective barangay positions, within the area of
24 coverage of such local radio and television stations. For this purpose, the franchise
25 of all local radio broadcasting and television station are hereby amended so as to
26 provide radio or television time, free of charge, to the COMELEC during the
27 campaign period to implement this section.

28 **SEC. 6. *COMELEC-organized town hall-style debates.*** - During the campaign
29 period, the Commission on Elections shall organize or cause to be organized town
30 hall-style debates among candidates for all elective positions in every city and
31 municipality. Radio and television stations, newspapers, magazines, other printed
32 media, and digital media content producers may televise, broadcast, or report on
33 candidate debates under this section.

1 **SEC. 7. COMELEC Space.** - Election Officers shall designate in every barangay
2 common areas for posting of election paraphernalia by candidates, which may only
3 be displayed in such places, subject to the following limitations:

4 A. For barangays with 1,000 registered voters, there shall be one (1) common
5 poster area in the barangay;

6 B. For barangays with more than 1,000 registered voters, there shall be one (1)
7 common poster area for every 1,000 registered voters;

8 C. Such common poster areas shall be located in barangay centers, barangay
9 halls, and other such places, where election paraphernalia may be readily
10 seen.

11 **SEC. 8. Prohibition of publication of polls and surveys during the campaign**
12 **period.** - The publication in any form of media or broadcast coverage of results of
13 electoral polls and surveys, researches, and analyses related to the preferences of
14 voters in the elections shall be prohibited during the campaign period and up to the
15 day of elections.

16 Any person found guilty of violating this Section shall be punished with
17 imprisonment of not less than one (1) year but not more than six (6) years and shall
18 not be subject to probation. In addition, the guilty party shall be sentenced to suffer
19 disqualification to hold public office and deprivation of the right of suffrage. Any
20 political party found guilty shall be sentenced to pay a fine of not less than ten (10)
21 million pesos, which shall be imposed upon such party after criminal action has
22 been instituted in which their corresponding officials have been found guilty.

23 **SEC. 9. Implementing Rules and Regulations.** - Within sixty (60) days from the
24 implementation of this Act, the COMELEC shall promulgate rules and regulations
25 implementing this Act.

26 **SEC. 10. Repealing Clause.** - All other laws, acts, presidential decrees, executive
27 orders, issuances, presidential proclamations, rules and regulations or parts thereof,
28 which are contrary to and inconsistent with any provision of this Act are hereby
29 repealed, amended, or modified accordingly.

30 **SEC. 11. Separability Clause.** - If any portion or provision of this Act is declared
31 unconstitutional, the remainder of this Act or any provision not affected thereby
32 shall remain in force and effect.

1 **SEC. 12. *Effectivity.*** - This Act shall take effect fifteen (15) days following the
2 completion of its publication either in the Official Gazette or in a newspaper of
3 general circulation in the Philippines.

Approved,