

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City, Metro Manila

Seventeenth Congress  
First Regular Session **176**

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| HOUSE OF REPRESENTATIVES                     |
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Introduced By: Hon. Karlo Alexei B. Nograles and Hon. Jericho Jonas B. Nograles

#### EXPLANATORY NOTE

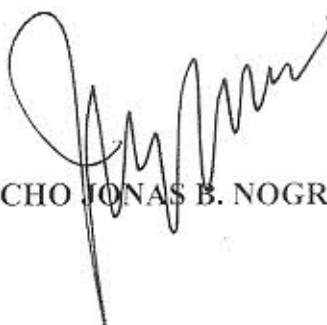
Setting off fireworks forms part of the Filipino practice of celebrating New Year's Eve. Mostly influenced by tradition, Filipinos believe that loud noises drive away evil and misfortune. But some have carried this superstition to extremes by firing guns to welcome the New Year, despite threats of criminal prosecution.

Against efforts of government, this abhorrent practice still continues with records showing that the number of people injured from stray bullets has increased. Making matters worse, even government agents have been suspected of committing such offenses.

There is also a general perception that irresponsible discharging of firearms is not a serious crime.

This Bill aims to provide for stiffer penalties for illegal discharge of firearms so as to prevent deaths or injuries resulting from such reckless acts by thoughtless individuals who have no regard for the safety of others.

  
KARLO A. B. NOGRALES

  
JERICHO JONAS B. NOGRALES

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
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House Bill No. ~~176~~

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**Introduced By: Honorable Karlo Alexei B. Nograles and Hon. Jericho Jonas B. Nograles**

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**AN ACT PROVIDING FOR STIFFER PENALTIES ON ILLEGAL DISCHARGE OF  
FIREARMS AMENDING FOR THAT PURPOSE ARTICLE 254 OF TITLE VIII  
CHAPTER ONE OF ACT 3815, AS AMENDED, OTHERWISE KNOWN AS THE  
REVISED PENAL CODE**

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

**SECTION 1.** Article 254 of Act 3815, as amended, otherwise known as the Revised Penal Code is hereby further amended to read as follows:

“Article 254. Discharge of firearms. - Any person who shall shoot [at another with] any firearm **WITHOUT LAWFUL AUTHORITY** shall suffer the penalty of *prision correctional* in its [minimum and medium] **MAXIMUM PERIOD**, unless the fact of the case are such that the act can be held to constitute frustrated or attempted parricide, murder, homicide or any other crime for which a higher penalty is prescribed by any articles of this Code.

**IF THE PERSON SHOOTING SHALL BE A MEMBER OF THE NATIONAL POLICE, ARMED FORCES OR ANY LAW ENFORCEMENT AGENCY AUTHORIZED BY LAW TO BEAR ARMS, THE PENALTY OF *PRISION MAYOR* SHALL BE IMPOSED.**

**IF THE SHOOTING SHALL RESULT TO THE DEATH OF A VICTIM, THE PENALTY OF *RECLUSION TEMPORAL* SHALL BE IMPOSED.**

**SECTION 2. Repealing Clause.** - All laws, order, proclamations, rules and regulations, or part thereof, which are inconsistent with any provision of this Act are hereby repealed or modify accordingly.

**SECTION 3. Separability Clause.** - If any provision or part of this Act, or the application thereof to any person or circumstances, is held unconstitutional or invalid, the remainder of this Act shall not be affected thereby.

**SECTION 4. Effectivity Clause.** - This Act shall take effect fifteen (15) days from the date of its complete publication in the Official Gazette or in at least two (2) newspaper of general circulation.

Approved.