

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 1316

Introduced by: REPRESENTATIVE JOCELYN F. FORTUNO

EXPLANATORY NOTE


There are constitutional and statutory provisions which explicitly guarantee equal protection of the laws. It is a reality in the Philippines however, that our laws lean toward those in the upper echelon of our society more than those in the quagmire of poverty.

The existing political chaos caused by disgruntled citizens like those in the leftist organizations and secessionist movements have undeniably been linked to the poor dispensation of our justice system. Many innocent people continue to languish in jail due to their failure to hire best lawyer to defend them or even post bail for some trumped up charges.

The government may have recognized this fact that the Probation Law was implemented. This law gives opportunity to people convicted of crime with an impossible penalty of imprisonment of not more than six (6) years not to serve his sentence in jail under certain conditions.

This bill therefore will effectively complement the Probation Law but this will exclusively apply only to pauper litigants, who are first time offenders. The enactment of this bill into law will somehow realize the dream once expressed by the original Man of the Masses, the late President Ramon Magsaysay that *“those who have less in life, should have more in law.”*

The foregoing reasons warrant the immediate approval of this bill.


JOCELYN F. FORTUNO
Representative
Fifth District, Camarines Sur

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AN ACT
TO EXEMPT PAUPER LITIGANTS FROM POSTING BAIL WHEN CHARGED WITH LIGHT FELONY OR CRIME PUNISHABLE BY *PRISION CORRECCIONAL*

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

SECTION 1. *Short Title.* – This Act shall be known as the “*Pauper Litigants Equal Justice Act of 2019.*”

SEC. 2. *Declaration of Policy.* – It is hereby declared a policy of the State to grant pauper litigants exemption from posting bail when charged with light felony or crime which the law imposes a penalty of not exceeding six (6) years for the first time.

SEC. 3. *Definition.* – As used in this Act, the term “pauper litigant” shall refer to any citizen of the Philippines who have no visible means of income and those with an annual income of not more than fifty thousand pesos (P50,000.00).

SEC. 4. *Exemption from Posting Bail.* – Any pauper litigant, who is a first time offender, shall not be required to post bail when charged with light felony or crime which the law prescribes a penalty of *prision correccional* in any court of law except when the probability of guilt is strong and flight is evident as determined by the court.

SEC. 5. *Condition for Granting Provisional Liberty on Recognizance.* – No pauper litigant shall avail of the privilege under this Act unless he takes an oath before any duly authorized officer that he shall appear and be present before the proper court whenever required.

Any violation of this condition shall constitute a waiver of his right and the court shall order his arrest. If for any reason he cannot be found, trial may proceed *in absentia*.

SEC. 6. *Repealing Clause.* – All laws, presidential decrees, executive orders, rules and regulations found inconsistent with this Act are hereby amended, repealed or modified accordingly.

SEC. 7. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in any newspaper of general circulation.

Approved,