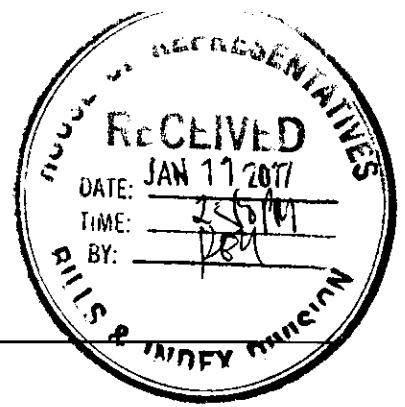


Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

SEVENTEENTH CONGRESS  
First Regular Session



COMMITTEE REPORT NO. 47

Submitted by the Committee on Justice on JAN 11 2017

Re: House Bill No. 4727

Recommending its approval in substitution of House Bills Numbered 1, 16, 513, 3237, 3239, 3240 and 3418.

Sponsors: Representatives Reynaldo V. Umali, Vicente S. E. Veloso, Fredenil H. Castro, Pantaleon D. Alvarez, Rodolfo C. Fariñas, Rolando G. Andaya, Jr, Michael John R. Duavit, Carlos O. Cojuangco, Elisa T. Kho, Raneo E. Abu, Benhur L. Salimbangon, Danilo E. Suarez, Rodel M. Batocabe, Gwendolyn F. Garcia, Rozzano Rufino B. Biazon, Robert Ace S. Barbers, Rogelio D. Pacquiao, Henry S. Oaminal and Doy C. Leachon.

Mr. Speaker:

The Committee on Justice, to which were referred the following House Bills:

House Bill No. 1, authored by Reps. Castro, Alvarez P., Fariñas, Andaya Jr, Duavit, Cojuangco, Kho, Abu, Salimbangon, Suarez and Batocabe, entitled:

**AN ACT**  
**IMPOSING THE DEATH PENALTY ON CERTAIN HEINOUS CRIMES, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 9346, ENTITLED "AN ACT PROHIBITING THE IMPOSITION OF DEATH PENALTY IN THE PHILIPPINES", AND AMENDING ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE "REVISED PENAL CODE", AND OTHER SPECIAL PENAL LAWS;**

House Bill No. 16, authored by Rep. Rozzano Rufino B. Biazon, entitled:

**AN ACT**  
**AMENDING SECTION ONE OF REPUBLIC ACT NUMBERED NINE THOUSAND THREE HUNDRED FORTY-SIX OTHERWISE KNOWN AS "AN ACT PROHIBITING THE IMPOSITION OF DEATH PENALTY IN THE PHILIPPINES"**

House Bill No. 513, authored by Rep. Robert Ace Barbers, entitled:

**AN ACT**  
**REIMPOSING THE DEATH PENALTY ON CERTAIN HEINOUS CRIMES, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 9346, AND REVIVING**

**REPUBLIC ACT NO. 7659, REPUBLIC ACT NO. 9165, IN SO FAR AS THE IMPOSITION OF THE DEATH PENALTY IS CONCERNED, AND REPUBLIC ACT NO. 8177, AND FOR OTHER PURPOSES;**

House Bill No. 3237 authored by Rep. Rogelio D. Pacquiao, entitled:

**AN ACT  
TO IMPOSE THE DEATH PENALTY AND INCREASED PENALTIES ON CERTAIN HEINOUS CRIMES INVOLVING DANGEROUS DRUGS, AMENDING FOR THAT PURPOSE OTHER SPECIAL PENAL LAWS, AND FOR OTHER PURPOSES;**

House Bill No. 3239 authored by Rep. Rogelio D. Pacquiao, entitled:

**AN ACT  
TO IMPOSE THE DEATH PENALTY ON THE HEINOUS CRIME OF AGGRAVATED RAPE, AMENDING FOR THAT PURPOSE THE REVISED PENAL LAWS, AS AMENDED, AND FOR OTHER PURPOSES;**

House Bill No. 3240 authored by Rep. Rogelio D. Pacquiao, entitled:

**AN ACT  
TO IMPOSE THE DEATH PENALTY ON THE HEINOUS CRIME OF KIDNAPPING, AMENDING FOR THAT PURPOSE THE REVISED PENAL LAWS, AS AMENDED, AND FOR OTHER PURPOSES;**

House Bill No. 3418 authored by Rep. Robert Ace Barbers, entitled:

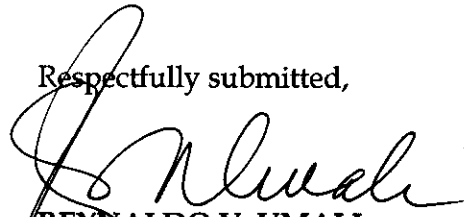
**AN ACT  
IMPOSING THE DEATH PENALTY ON ANY PUBLIC OFFICER AND EMPLOYEE RESPONSIBLE FOR THE FLIGHT OF DRUG MULES FROM PHILIPPINE AIR AND SEA PORTS**

and after having conducted extensive consultations with various sectors and stakeholders during the meetings held on November 9, 15, 22, 29 and December 7, 2016, hereby recommends that the attached House Bill No. 4727 entitled:

**"AN ACT  
IMPOSING THE DEATH PENALTY ON CERTAIN HEINOUS CRIMES, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 9346, ENTITLED "AN ACT PROHIBITING THE IMPOSITION OF DEATH PENALTY IN THE PHILIPPINES", AND AMENDING ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE "REVISED PENAL CODE", AND OTHER SPECIAL PENAL LAWS"**

be approved in substitution of House Bills Numbered 1, 16, 513, 3237, 3239, 3240 and 3418 with Representatives Fredenil H. Castro, Pantaleon D. Alvarez, Rodolfo C. Fariñas, Rolando G. Andaya, Jr, Michael John R. Duavit, Carlos O. Cojuangco, Elisa T. Kho, Raneo E. Abu, Benhur L. Salimbangon, Danilo E. Suarez, Rodel M. Batocabe, Gwendolyn F. Garcia, Rozzano Rufino B. Biazon, Robert Ace S. Barbers, Rogelio D. Pacquiao, Reynaldo V. Umali, Vicente S. E. Veloso, Henry S. Oaminal and Doy C. Leachon as authors thereof.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Umali', written over the printed name.

**REYNALDO V. UMALI**  
Chairman

**The Honorable Speaker**  
House of Representatives  
Quezon City

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

SEVENTEENTH CONGRESS  
First Regular Session

**HOUSE BILL NO. 4727**

(in substitution of House Bills Numbered 1, 16, 513, 3237, 3239, 3240 and 3418)

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Introduced by REPRESENTATIVES FREDENIL H. CASTRO, PANTALEON D. ALVAREZ, RODOLFO C. FARIÑAS, ROZZANO RUFINO B. BIAZON, ROBERT ACE S. BARBERS, ROGELIO D. PACQUIAO, ROLANDO G. ANDAYA, JR, MICHAEL JOHN R. DUAVIT, CARLOS O. COJUANGCO, ELISA T. KHO, RANEO E. ABU, BENHUR L. SALIMBANGON, DANILO E. SUAREZ, RODEL M. BATOCABE, REYNALDO V. UMALI, VICENTE S.E. VELOSO, GWENDOLYN F. GARCIA, HENRY S. OAMINAL and DOY C. LEACHON

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**AN ACT  
IMPOSING THE DEATH PENALTY ON CERTAIN HEINOUS CRIMES,  
REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 9346, ENTITLED  
“AN ACT PROHIBITING THE IMPOSITION OF DEATH PENALTY IN THE  
PHILIPPINES”, AND AMENDING ACT NO. 3815, AS AMENDED,  
OTHERWISE KNOWN AS THE “REVISED PENAL CODE”, AND OTHER  
SPECIAL PENAL LAWS**

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

1       **SECTION 1. Short title.** - This Act shall be known as the “*Death*  
2 *Penalty Law*”.

3  
4       **SEC. 2. Declaration of Policy.** - It is the declared policy of the State to  
5 foster peace and order and ensure obedience to its authority, to protect life,  
6 liberty and property and to promote the general welfare which are essential  
7 for the enjoyment by all the people of the blessings of democracy in a just  
8 and humane society.  
9

10       Towards this end, in the interest of justice, public order and rule of  
11 law, and the need to rationalize and harmonize the penal sanctions, the  
12 Congress finds compelling reasons to impose the death penalty for heinous  
13 crimes.  
14

15       **SEC. 3. Imposition of Death Penalty; Heinous Crimes Defined.** - The  
16 death penalty is hereby imposed on crimes defined under this Act as  
17 heinous for being grievous, odious and hateful offenses, which by reason of  
18 their inherent or manifest wickedness, viciousness, atrocity and perversity  
19 are repugnant and outrageous to the common standards and norms of  
20 decency and morality in a just, civilized and ordered society.  
21

1 Accordingly, Act No. 3815, as amended, otherwise known as the "Revised  
2 Penal Code", and other special penal laws, are hereby amended for the  
3 purpose of imposing the death penalty on heinous crimes enumerated under  
4 this Act.

5  
6 **SEC. 4.** Article 114 of the Revised Penal Code, as amended, is hereby  
7 further amended to read as follows:

8  
9 **"Art. 114. Treason.** - Any Filipino citizen who levies war  
10 against the Philippines or adheres to her enemies giving them aid  
11 or comfort within the Philippines or elsewhere, shall be punished  
12 by *reclusion perpetua* **TO DEATH** and shall pay a fine not to exceed  
13 100,000 pesos.

14  
15 No person shall be convicted of treason unless on the testimony  
16 of two witnesses at least to the same overt act or on confession of  
17 the accused in open court.

18  
19 Likewise, an alien, residing in the Philippines, who commits  
20 acts of treason as defined in paragraph 1 of this Article shall be  
21 punished by *reclusion temporal* to [***reclusion perpetua***] **DEATH**  
22 and shall pay a fine not to exceed 100,000 pesos."

23  
24 **SEC. 5.** Article 123 of the Revised Penal Code, as amended, is hereby  
25 further amended to read as follows:

26  
27 **"Art. 123. Qualified piracy.** - The penalty of *reclusion*  
28 *perpetua* **TO DEATH** shall be imposed upon those who commit any  
29 of the crimes referred to in the preceding article, under any of the  
30 following circumstances:

31  
32 1. Whenever they have seized a vessel by boarding or firing  
33 upon the same;

34  
35 2. Whenever the pirates have abandoned their victims without  
36 means of saving themselves or;

37  
38 3. Whenever the crime is accompanied by murder, homicide,  
39 physical injuries or rape."

40  
41 **SEC. 6.** Article 211-A of the Revised Penal Code, as amended, is hereby  
42 further amended to read as follows:

43  
44 **"Art. 211-A. Qualified Bribery.** - If any public officer is  
45 entrusted with law enforcement and he refrains from arresting or  
46 prosecuting an offender who has committed a crime punishable by  
47 *reclusion perpetua* and/or death in consideration of any offer,  
48 promise, gift or present, he shall suffer the penalty for the offense  
49 which was not prosecuted.

1  
2 If it is the public officer who asks or demands such gift or  
3 present, he shall suffer the penalty of [*reclusion perpetua*] **DEATH.**"  
4

5 **SEC. 7.** Article 246 of the Revised Penal Code, as amended, is hereby  
6 further amended to read as follows:  
7

8 "**Art. 246. Parricide.** - Any person who shall kill his father,  
9 mother, or child, whether legitimate of illegitimate, or any of his  
10 ascendants, or descendants, or his spouse, shall be guilty of  
11 parricide and shall be punished by the penalty of *reclusion*  
12 *perpetua* **TO DEATH.**"  
13

14 **SEC. 8.** Article 248 of the Revised Penal Code, as amended, is hereby  
15 further amended to read as follows:  
16

17 "**Art. 248. Murder.** - Any person who, not falling within the  
18 provisions of Article 246 shall kill another, shall be guilty of  
19 murder and shall be punished by *reclusion perpetua* **TO DEATH** if  
20 committed with any of the following attendant circumstances:  
21

22 1. With treachery, taking advantage of superior strength, with  
23 the aid of armed men, or employing means to weaken the defense  
24 or of means or persons to insure or afford impunity.  
25

26 2. In consideration of a price, reward or promise.  
27

28 3. By means of inundation, fire, poison, explosion, shipwreck,  
29 stranding of a vessel, derailment or assault upon a railroad, fall of  
30 an airship, or by means of motor vehicles, or with the use of any  
31 other means involving great waste and ruin.  
32

33 4. On occasion of any of the calamities enumerated in the  
34 preceding paragraph, or of an earthquake, eruption of a volcano,  
35 destructive cyclone, epidemic or other public calamity.  
36

37 5. With evident premeditation.  
38

39 6. With cruelty, by deliberately and inhumanly augmenting the  
40 suffering of the victim, or outraging or scoffing at his person or  
41 corpse.  
42

43 **PROVIDED, THAT FOR PARAGRAPHS 1, 3 AND 5, THE**  
44 **PENALTY SHALL BE RECLUSION PERPETUA."**  
45

46 **SEC. 9.** Article 255 of the Revised Penal Code, as amended, is hereby  
47 further amended to read as follows:  
48

49 "**Art. 255. Infanticide.** - The penalty provided for parricide

1 in Article 246 and for murder in Article 248 shall be imposed upon  
2 any person who shall kill any child less than three days of age.  
3

4 If any crime penalized in this Article be committed by the  
5 mother of the child for the purpose of concealing her dishonor, she  
6 shall suffer the penalty of *prision mayor* in its medium and  
7 maximum periods, and if said crime be committed for the same  
8 purpose by the maternal grandparents or either of them, the  
9 penalty shall be *reclusion temporal*."

10  
11 **SEC. 10.** Article 266-A and 266-B of the Revised Penal Code, as  
12 amended, is hereby further amended to read as follows:  
13

14 **"Article 266-A. Rape: When And How Committed.** - Rape is  
15 committed:  
16

17 1) By a man who shall have carnal knowledge of a woman  
18 under any of the following circumstances:  
19

20 a) Through force, threat, or intimidation;  
21

22 b) When the offended party is deprived of reason or otherwise  
23 unconscious;  
24

25 c) By means of fraudulent machination or grave abuse of  
26 authority; and  
27

28 d) When the offended party is under twelve (12) years of age or  
29 is demented, even though none of the circumstances mentioned  
30 above be present.  
31

32 2) By any person who, under any of the circumstances  
33 mentioned in paragraph 1 hereof, shall commit an act of sexual  
34 assault by inserting his penis into another person's mouth or anal  
35 orifice, or any instrument or object, into the genital or anal orifice  
36 of another person.  
37

38 **ART 266-B. Penalty.** - Rape under paragraph 1 of the next  
39 preceding article shall be punished by *reclusion perpetua*.  
40

41 Whenever the rape is committed with the use of a deadly  
42 weapon or by two or more persons, the penalty shall be *reclusion*  
43 *perpetua* **TO DEATH**.  
44

45 When by reason or on the occasion of the rape, the victim has  
46 become insane, the penalty shall become *reclusion perpetua* **TO**  
47 **DEATH**.  
48

49 When the rape is attempted and a homicide is committed by

1 reason or on the occasion thereof, the penalty shall be *reclusion*  
2 *perpetua* **TO DEATH**.

3  
4 When by reason or on the occasion of the rape, homicide is  
5 committed, the penalty shall be [*reclusion perpetua*] **DEATH**.

6  
7 The **DEATH** penalty [*of reclusion perpetua*] shall also be  
8 imposed if the crime of rape is committed with any of the following  
9 aggravating/qualifying circumstances:

10  
11 1) When the victim is under eighteen (18) years of age and the  
12 offender is a parent, ascendant, step-parent, guardian, relative by  
13 consanguinity or affinity within the third civil degree, or the  
14 common-law spouse of the parent of the victim;

15  
16 2) When the victim is under the custody of the police or military  
17 authorities or any law enforcement or penal institution;

18  
19 3) When the rape is committed in full view of the spouse,  
20 parent, any of the children or other relatives within the third civil  
21 degree of consanguinity;

22  
23 4) When the victim is a religious engaged in legitimate religious  
24 vocation or calling and is personally known to be such by the  
25 offender before or at the time of the commission of the crime;

26  
27 5) When the victim is a child below seven (7) years old;

28  
29 6) When the offender knows that he is afflicted with the Human  
30 Immuno-Deficiency Virus (HIV)/Acquired Immune Deficiency  
31 Syndrome (AIDS) or any other sexually transmissible disease and  
32 the virus or disease is transmitted to the victim;

33  
34 7) When committed by any member of the Armed Forces of the  
35 Philippines or para-military units thereof or the Philippine National  
36 Police or any law enforcement agency or penal institution, when  
37 the offender took advantage of his position to facilitate the  
38 commission of the crime;

39  
40 8) When by reason or on the occasion of the rape, the victim  
41 has suffered permanent physical mutilation or disability;

42  
43 9) When the offender knew of the pregnancy of the offended  
44 party at the time of the commission of the crime; and

45  
46 10) When the offender knew of the mental disability, emotional  
47 disorder and/or physical handicap of the offended party at the  
48 time of the commission of the crime.



1 Rape under paragraph 2 of the next preceding article shall be  
2 punished by *prision mayor*.

3  
4 Whenever the rape is committed with the use of a deadly  
5 weapon or by two or more persons, the penalty shall be *prision*  
6 *mayor to reclusion temporal*.

7  
8 When by reason or on the occasion of the rape, the victim has  
9 become insane, the penalty shall be *reclusion temporal*.

10  
11 When the rape is attempted and a homicide is committed by  
12 reason or on the occasion thereof, the penalty shall be *reclusion*  
13 *temporal to reclusion perpetua*.

14  
15 When by reason or on the occasion of the rape, homicide is  
16 committed, the penalty shall be *reclusion perpetua*.

17  
18 *Reclusion temporal* shall be imposed if the rape is committed  
19 with any of the ten aggravating/ qualifying circumstances  
20 mentioned in this article.

21  
22 **SEC. 11.** Article 267 of the Revised Penal Code, as amended, is hereby  
23 further amended to read as follows:

24  
25 **“Art. 267. Kidnapping and serious illegal detention.** - Any  
26 private individual who shall kidnap or detain another, or in any  
27 other manner deprive him of his liberty, shall suffer the penalty of  
28 *reclusion perpetua* **TO DEATH:**

- 29  
30 1. If the kidnapping or detention shall have lasted more than  
31 three days.  
32  
33 2. If it shall have been committed simulating public authority.  
34  
35 3. If any serious physical injuries shall have been inflicted  
36 upon the person kidnapped or detained; or if threats to kill  
37 him shall have been made.  
38  
39 4. If the person kidnapped or detained shall be a minor, except  
40 when the accused is any of the parents, female or a public  
41 officer.  
42

43 The penalty shall be [*reclusion perpetua*] **DEATH** where the  
44 kidnapping or detention was committed for the purpose of  
45 extorting ransom from the victim or any other person, even if none  
46 of the circumstances above-mentioned were present in the  
47 commission of the offense.

48  
49 When the victim is killed or dies as a consequence of the

1 detention or is raped, or is subject to torture or dehumanizing acts,  
2 the maximum penalty shall be imposed."  
3

4 **SEC. 12.** Article 294 of the Revised Penal Code, as amended, is hereby  
5 further amended to read as follows:  
6

7 **"Art. 294. Robbery with violence against or**  
8 **intimidation of persons - Penalties.** - Any person guilty of  
9 robbery with the use of violence against or intimidation of any  
10 person shall suffer:  
11

12 1. The penalty of *reclusion perpetua* **TO DEATH**, when by  
13 reason or on occasion of the robbery, the crime of homicide shall  
14 have been committed, or when the robbery shall have been  
15 accompanied by rape or intentional mutilation or arson.  
16

17 2. The penalty of *reclusion temporal* in its medium period to  
18 *reclusion perpetua*, when or if by reason or on occasion of such  
19 robbery, any of the physical injuries penalized in subdivision I of  
20 Article 263 shall have been inflicted.  
21

22 3. The penalty of *reclusion temporal*, when by reason or on  
23 occasion of the robbery, any of the physical injuries penalized in  
24 subdivision 2 of the article mentioned in the next preceding  
25 paragraph, shall have been inflicted.  
26

27 4. The penalty of *prision mayor* in its maximum period to  
28 *reclusion temporal* in its medium period, if the violence or  
29 intimidation employed in the commission of the robbery shall have  
30 been carried to a degree clearly unnecessary for the commission of  
31 the crime, or when in the course of its execution, the offender shall  
32 have inflicted upon any person not responsible for its commission  
33 any of the physical injuries covered by subdivisions 3 and 4 of said  
34 Article 263.  
35

36 5. The penalty of *prision correccional* in its maximum period to  
37 *prision mayor* in its medium period in other cases."  
38

39 **SEC. 13.** Article 320 of the Revised Penal Code, as amended, is hereby  
40 further amended to read as follows:  
41

42 **"Art. 320. Destructive Arson.** - The penalty of *reclusion*  
43 *perpetua* **TO DEATH** shall be imposed upon any person who shall  
44 burn:  
45

46 1. One (1) or more buildings or edifices, consequent to one  
47 single act of burning, or as a result of simultaneous burnings,  
48 committed on several or different occasions.  
49

1           2. Any building of public or private ownership, devoted to the  
2 public in general or where people usually gather or congregate for  
3 a definite purpose such as, but not limited to, official governmental  
4 function or business, private transaction, commerce, trade,  
5 workshop, meetings and conferences, or merely incidental to a  
6 definite purpose such as but not limited to hotels, motels,  
7 transient dwellings, public conveyances or stops or terminals,  
8 regardless of whether the offender had knowledge that there are  
9 persons in said building or edifice at the time it is set on fire and  
10 regardless also of whether the building is actually inhabited or not.

11  
12           3. Any train or locomotive, ship or vessel, airship or airplane,  
13 devoted to transportation or conveyance, or for public use,  
14 entertainment or leisure.

15  
16           4. Any building, factory, warehouse installation and any  
17 appurtenances thereto, which are devoted to the service of public  
18 utilities.

19  
20           5. Any building the burning of which is for the purpose of  
21 concealing or destroying evidence of another violation of law, or for  
22 the purpose of concealing bankruptcy or defrauding creditors or to  
23 collect from insurance.

24  
25           Irrespective of the application of the above enumerated  
26 qualifying circumstances, the penalty of *reclusion perpetua* **TO**  
27 **DEATH** shall likewise be imposed when the arson is perpetrated or  
28 committed by two (2) or more persons or by a group of persons,  
29 regardless of whether their purpose is merely to burn or destroy  
30 the building or the burning merely constitutes an overt act in the  
31 commission or another violation of law.

32  
33           The penalty of *reclusion perpetua* **TO DEATH** shall also be  
34 imposed upon any person who shall burn:

35  
36           1. Any arsenal, shipyard, storehouse or military powder or  
37 fireworks factory, ordnance, storehouse, archives or general  
38 museum of the Government.

39  
40           2. In an inhabited place, any storehouse or factory of  
41 inflammable or explosive materials.

42  
43           If as a consequence of the commission of any of the acts  
44 penalized under this Article, death results, the mandatory penalty  
45 of [*reclusion perpetua*] **DEATH** shall be imposed."

46  
47           **SEC. 14.** Section 2 of Republic Act No. 7080, as amended, entitled "An  
48 Act Defining and Penalizing the Crime of Plunder" is further amended to  
49 read as follows:

1  
2       **"SEC. 2. Definition of the Crime of Plunder; Penalties.** - Any  
3 public officer who, by himself or in connivance with members of  
4 his family, relatives by affinity or consanguinity, business  
5 associates, subordinates or other persons, amasses, accumulates  
6 or acquires ill-gotten wealth through a combination or series of  
7 overt criminal acts as described in Section 1 (d) hereof in the  
8 aggregate amount or total value of at least Fifty million pesos  
9 (P50,000,000.00) shall be guilty of the crime of plunder and shall  
10 be punished by *reclusion perpetua* **TO DEATH**. Any person who  
11 participated with the said public officer in the commission of an  
12 offense contributing to the crime of plunder shall likewise be  
13 punished for such offense. In the imposition of penalties, the  
14 degree of participation and the attendance of mitigating and  
15 extenuating circumstances, as provided by the Revised Penal Code,  
16 shall be considered by the court. The court shall declare any and  
17 all ill-gotten wealth and their interests and other incomes and  
18 assets including the properties and shares of stocks derived from  
19 the deposit or investment thereof forfeited in favor of the State."  
20

21       **SEC. 15.** Sections 4, 5 and 6 of Republic Act No. 9165, as amended,  
22 otherwise known as the "Comprehensive Dangerous Drugs Act of 2002," are  
23 hereby amended to read as follows:  
24

25       **"SEC. 4. Importation of Dangerous Drugs and/or Controlled**  
26 **Precursors and Essential Chemicals.** - The penalty of life  
27 imprisonment **TO DEATH** and a fine ranging from Five hundred  
28 thousand pesos (P500,000.00) to Ten million pesos  
29 (P10,000,000.00) shall be imposed upon any person, who, unless  
30 authorized by law, shall import or bring into the Philippines any  
31 dangerous drug, regardless of the quantity and purity involved,  
32 including any and all species of opium poppy or any part thereof or  
33 substances derived therefrom even for floral, decorative and  
34 culinary purposes.  
35

36       The penalty of imprisonment ranging from twelve (12) years and  
37 one (1) day to twenty (20) years and a fine ranging from One  
38 hundred thousand pesos (P100,000.00) to Five hundred thousand  
39 pesos (P500,000.00) shall be imposed upon any person, who,  
40 unless authorized by law, shall import any controlled precursor  
41 and essential chemical.  
42

43       The maximum penalty provided for under this Section shall be  
44 imposed upon any person, who, unless authorized under this Act,  
45 shall import or bring into the Philippines any dangerous drug  
46 and/or controlled precursor and essential chemical through the  
47 use of a diplomatic passport, diplomatic facilities or any other  
48 means involving his/her official status intended to facilitate the  
49 unlawful entry of the same. In addition, the diplomatic passport

1 shall be confiscated and canceled.

2  
3 The maximum penalty provided for under this Section shall be  
4 imposed upon any person, who organizes, manages or acts as a  
5 "financier" of any of the illegal activities prescribed in this Section.

6  
7 The penalty of twelve (12) years and one (1) day to twenty (20)  
8 years of imprisonment and a fine ranging from One hundred  
9 thousand pesos (P100,000.00) to Five hundred thousand pesos  
10 (P500,000.00) shall be imposed upon any person, who acts as a  
11 "protector/coddler" of any violator of the provisions under this  
12 Section.

13  
14 **SEC. 5. Sale, Trading, Administration, Dispensation,**  
15 **Delivery, Distribution and Transportation of Dangerous Drugs**  
16 **and/or Controlled Precursors and Essential Chemicals.** - The  
17 penalty of life imprisonment **TO DEATH** and a fine ranging from  
18 Five hundred thousand pesos (P500,000.00) to Ten million pesos  
19 (P10,000,000.00) shall be imposed upon any person, who, unless  
20 authorized by law, shall sell, trade, administer, dispense, deliver,  
21 give away to another, distribute, dispatch in transit or transport  
22 any dangerous drug, including any and all species of opium poppy  
23 regardless of the quantity and purity involved, or shall act as a  
24 broker in any of such transactions.

25  
26 The penalty of imprisonment ranging from twelve (12) years and  
27 one (1) day to twenty (20) years and a fine ranging from One  
28 hundred thousand pesos (P100,000.00) to Five hundred thousand  
29 pesos (P500,000.00) shall be imposed upon any person, who,  
30 unless authorized by law, shall sell, trade, administer, dispense,  
31 deliver, give away to another, distribute, dispatch in transit or  
32 transport any controlled precursor and essential chemical, or shall  
33 act as a broker in such transactions.

34  
35 If the sale, trading, administration, dispensation, delivery,  
36 distribution or transportation of any dangerous drug and/or  
37 controlled precursor and essential chemical transpires within one  
38 hundred (100) meters from the school, the maximum penalty shall  
39 be imposed in every case.

40  
41 For drug pushers who use minors or mentally incapacitated  
42 individuals as runners, couriers and messengers, or in any other  
43 capacity directly connected to the dangerous drugs and/or  
44 controlled precursors and essential chemical trade, the maximum  
45 penalty shall be imposed in every case.

46  
47 If the victim of the offense is a minor or a mentally  
48 incapacitated individual, or should a dangerous drug and/or a  
49 controlled precursor and essential chemical involved in any offense

1 herein provided be the proximate cause of death of a victim  
2 thereof, the maximum penalty provided for under this Section shall  
3 be imposed.

4  
5 The maximum penalty provided for under this Section shall be  
6 imposed upon any person who organizes, manages or acts as a  
7 "financier" of any of the illegal activities prescribed in this Section.

8  
9 The penalty of twelve (12) years and one (1) day to twenty (20)  
10 years of imprisonment and a fine ranging from One hundred  
11 thousand pesos (P100,000.00) to Five hundred thousand pesos  
12 (P500,000.00) shall be imposed upon any person, who acts as a  
13 "protector/coddler" of any violator of the provisions under this  
14 Section.

15  
16 **SEC. 6. Maintenance of a Den, Dive or Resort.** - The penalty  
17 of life imprisonment **TO DEATH** and a fine ranging from Five  
18 hundred thousand pesos (P500,000.00) to Ten million pesos  
19 (P10,000,000.00) shall be imposed upon any person or group of  
20 persons who shall maintain a den, dive or resort where any  
21 dangerous drug is used or sold in any form.

22  
23 The penalty of imprisonment ranging from twelve (12) years and  
24 one (1) day to twenty (20) years and a fine ranging from One  
25 hundred thousand pesos (P100,000.00) to Five hundred thousand  
26 pesos (P500,000.00) shall be imposed upon any person or group of  
27 persons who shall maintain a den, dive, or resort where any  
28 controlled precursor and essential chemical is used or sold in any  
29 form.

30  
31 The maximum penalty provided for under this Section shall be  
32 imposed in every case where any dangerous drug is administered,  
33 delivered or sold to a minor who is allowed to use the same in such  
34 a place.

35  
36 Should any dangerous drug be the proximate cause of the death  
37 of a person using the same in such den, dive or resort, the penalty  
38 of death and a fine ranging from One million (P1,000,000.00) to  
39 Fifteen million pesos (P15,000,000.00) shall be imposed on the  
40 maintainer, owner and/or operator.

41  
42 If such den, dive or resort is owned by a third person, the same  
43 shall be confiscated and escheated in favor of the government:  
44 *Provided*, That the criminal complaint shall specifically allege that  
45 such place is intentionally used in the furtherance of the crime:  
46 *Provided*, further, That the prosecution shall prove such intent on  
47 the part of the owner to use the property for such purpose:  
48 *Provided*, finally, That the owner shall be included as an accused  
49 in the criminal complaint.

1  
2 The maximum penalty provided for under this Section shall be  
3 imposed upon any person who organizes, manages or acts as a  
4 "financier" of any of the illegal activities prescribed in this Section.  
5

6 The penalty of twelve (12) years and one (1) day to twenty (20)  
7 years of imprisonment and a fine ranging from One hundred  
8 thousand pesos (P100,000.00) to Five hundred thousand pesos  
9 (P500,000.00) shall be imposed upon any person, who acts as a  
10 "protector/coddler" of any violator of the provisions under this  
11 Section.  
12

13 **SEC. 16.** Section 8 of Republic Act No. 9165, as amended, is hereby  
14 further amended to read as follows:  
15

16 **"SEC. 8. *Manufacture of Dangerous Drugs and/or***  
17 ***Controlled Precursors and Essential Chemicals.*** - The penalty  
18 of life imprisonment **TO DEATH** and a fine ranging from Five  
19 hundred thousand pesos (P500,000.00) to Ten million pesos  
20 (P10,000,000.00) shall be imposed upon any person, who, unless  
21 authorized by law, shall engage in the manufacture of any  
22 dangerous drug.  
23

24 The penalty of imprisonment ranging from twelve (12) years and  
25 one (1) day to twenty (20) years and a fine ranging from One  
26 hundred thousand pesos (P100,000.00) to Five hundred thousand  
27 pesos (P500,000.00) shall be imposed upon any person, who,  
28 unless authorized by law, shall manufacture any controlled  
29 precursor and essential chemical.  
30

31 The presence of any controlled precursor and essential chemical  
32 or laboratory equipment in the clandestine laboratory is a prima  
33 facie proof of manufacture of any dangerous drug. It shall be  
34 considered an aggravating circumstance if the clandestine  
35 laboratory is undertaken or established under the following  
36 circumstances:  
37

38 (a) Any phase of the manufacturing process was conducted in  
39 the presence or with the help of minor/s:  
40

41 (b) Any phase or manufacturing process was established or  
42 undertaken within one hundred (100) meters of a residential,  
43 business, church or school premises;  
44

45 (c) Any clandestine laboratory was secured or protected with  
46 booby traps;  
47

48 (d) Any clandestine laboratory was concealed with legitimate  
49 business operations; or

1  
2 (e) Any employment of a practitioner, chemical engineer, public  
3 official or foreigner.  
4

5 The maximum penalty provided for under this Section shall be  
6 imposed upon any person, who organizes, manages or acts as a  
7 "financier" of any of the illegal activities prescribed in this Section.  
8

9 The penalty of twelve (12) years and one (1) day to twenty (20)  
10 years of imprisonment and a fine ranging from One hundred  
11 thousand pesos (P100,000.00) to Five hundred thousand pesos  
12 (P500,000.00) shall be imposed upon any person, who acts as a  
13 "protector/coddler" of any violator of the provisions under this  
14 Section."  
15

16 **SEC. 17.** Section 11 of Republic Act No. 9165, as amended, is hereby  
17 further amended to read as follows:  
18

19 **"SEC. 11. Possession of Dangerous Drugs.** - The penalty of  
20 life imprisonment **TO DEATH** and a fine ranging from Five  
21 hundred thousand pesos (P500,000.00) to Ten million pesos  
22 (P10,000,000.00) shall be imposed upon any person, who, unless  
23 authorized by law, shall possess any dangerous drug in the  
24 following quantities, regardless of the degree of purity thereof:  
25

- 26 (1) 10 grams or more of opium;
- 27 (2) 10 grams or more of morphine;
- 28 (3) 10 grams or more of heroin;
- 29 (4) 10 grams or more of cocaine or cocaine hydrochloride;
- 30 (5) **[50] 10** grams or more of methamphetamine hydrochloride  
31 or "shabu";
- 32 (6) 10 grams or more of marijuana resin or marijuana resin oil;
- 33 (7) 500 grams or more of marijuana; and
- 34 (8) 10 grams or more of other dangerous drugs such as, but not  
35 limited to, methylenedioxy-methamphetamine (MDA) or "ecstasy",  
36 paramethoxy-amphetamine (PMA), trimethoxy-amphetamine  
37 (TMA), lysergic acid diethylamine (LSD), gamma  
38 hydroxyamphetamine (GHB), and those similarly designed or newly  
39 introduced drugs and their derivatives, without having any  
40 therapeutic value or if the quantity possessed is far beyond  
41 therapeutic requirements, as determined and promulgated by the  
42 Board in accordance to Section 93, Article XI of this Act.  
43

44 Otherwise, if the quantity involved is less than the foregoing  
45 quantities, the penalties shall be graduated as follows:  
46

- 47 (1) Life imprisonment and a fine ranging from Four hundred  
48 thousand pesos (P400,000.00) to Five hundred thousand pesos  
49 (P500,000.00), if the quantity of methamphetamine hydrochloride



1 or "shabu" is **[ten (10)] FIVE (5)** grams or more but less than **[fifty**  
2 **(50)] TEN (10)** grams;

3  
4 (2) Imprisonment of twenty (20) years and one (1) day to life  
5 imprisonment and a fine ranging from Four hundred thousand  
6 pesos (P400,000.00) to Five hundred thousand pesos  
7 (P500,000.00), if the quantities of dangerous drugs are five (5)  
8 grams or more but less than ten (10) grams of opium, morphine,  
9 heroin, cocaine or cocaine hydrochloride, marijuana resin or  
10 marijuana resin oil, **[methamphetamine hydrochloride or**  
11 **"shabu",]** or other dangerous drugs such as, but not limited to,  
12 MDMA or "ecstasy", PMA, TMA, LSD, GHB, and those similarly  
13 designed or newly introduced drugs and their derivatives, without  
14 having any therapeutic value or if the quantity possessed is far  
15 beyond therapeutic requirements; or three hundred (300) grams or  
16 more but less than five (hundred) 500) grams of marijuana; and  
17

18 (3) Imprisonment of twelve (12) years and one (1) day to twenty  
19 (20) years and a fine ranging from Three hundred thousand pesos  
20 (P300,000.00) to Four hundred thousand pesos (P400,000.00), if  
21 the quantities of dangerous drugs are less than five (5) grams of  
22 opium, morphine, heroin, cocaine or cocaine hydrochloride,  
23 marijuana resin or marijuana resin oil, methamphetamine  
24 hydrochloride or "shabu", or other dangerous drugs such as, but  
25 not limited to, MDMA or "ecstasy", PMA, TMA, LSD, GHB, and  
26 those similarly designed or newly introduced drugs and their  
27 derivatives, without having any therapeutic value or if the quantity  
28 possessed is far beyond therapeutic requirements; or less than  
29 three hundred (300) grams of marijuana.  
30

31 **SEC. 18.** Section 16 of Republic Act No. 9165, as amended, is hereby  
32 further amended to read as follows:

33  
34 **"SEC. 16. Cultivation or Culture of Plants Classified as**  
35 **Dangerous Drugs or are Sources Thereof.** - The penalty of life  
36 imprisonment **TO DEATH** and a fine ranging from Five hundred  
37 thousand pesos (P500,000.00) to Ten million pesos  
38 (P10,000,000.00) shall be imposed upon any person, who shall  
39 plant, cultivate or culture marijuana, opium poppy or any other  
40 plant regardless of quantity, which is or may hereafter be classified  
41 as a dangerous drug or as a source from which any dangerous  
42 drug may be manufactured or derived: *Provided,* That in the case  
43 of medical laboratories and medical research centers which  
44 cultivate or culture marijuana, opium poppy and other plants, or  
45 materials of such dangerous drugs for medical experiments and  
46 research purposes, or for the creation of new types of medicine, the  
47 Board shall prescribe the necessary implementing guidelines for  
48 the proper cultivation, culture, handling, experimentation and  
49 disposal of such plants and materials.

1  
2 The land or portions thereof and/or greenhouses on which any  
3 of said plants is cultivated or cultured shall be confiscated and  
4 escheated in favor of the State, unless the owner thereof can prove  
5 lack of knowledge of such cultivation or culture despite the  
6 exercise of due diligence on his/her part. If the land involved is  
7 part of the public domain, the maximum penalty provided for  
8 under this Section shall be imposed upon the offender.  
9

10 The maximum penalty provided for under this Section shall be  
11 imposed upon any person, who organizes, manages or acts as a  
12 "financier" of any of the illegal activities prescribed in this Section.  
13

14 The penalty of twelve (12) years and one (1) day to twenty (20)  
15 years of imprisonment and a fine ranging from One hundred  
16 thousand pesos (P100,000.00) to Five hundred thousand pesos  
17 (P500,000.00) shall be imposed upon any person, who acts as a  
18 "protector/coddler" of any violator of the provisions under this  
19 Section."  
20

21 **SEC. 19.** Section 19 of Republic Act No. 9165, as amended, is hereby  
22 further amended to read as follows:  
23

24 **"SEC. 19. Unlawful Prescription of Dangerous Drugs.** – The  
25 penalty of life imprisonment **TO DEATH** and a fine ranging from  
26 Five hundred thousand pesos (P500,000.00) to Ten million pesos  
27 (P10,000,000.00) shall be imposed upon any person, who, unless  
28 authorized by law, shall make or issue a prescription or any other  
29 writing purporting to be a prescription for any dangerous drug."  
30

31 **SEC. 20.** Section 27 of Republic Act No. 9165, as amended, is hereby  
32 further amended to read as follows:  
33

34 **"SEC. 27. Criminal Liability of a Public Officer or Employee**  
35 **for Misappropriation, Misapplication or Failure to Account**  
36 **for the Confiscated, Seized and/or Surrendered Dangerous**  
37 **Drugs, Plant Sources of Dangerous Drugs, Controlled**  
38 **Precursors and Essential Chemicals, Instruments**  
39 **/Paraphernalia and/or Laboratory Equipment Including the**  
40 **Proceeds or Properties Obtained from the Unlawful Act**  
41 **Committed.** – The penalty of life imprisonment **TO DEATH** and a  
42 fine ranging from Five hundred thousand pesos (P500,000.00) to  
43 Ten million pesos (P10,000,000.00), in addition to absolute  
44 perpetual disqualification from any public office, shall be imposed  
45 upon any public officer or employee who misappropriates,  
46 misapplies or fails to account for confiscated, seized or  
47 surrendered dangerous drugs, plant sources of dangerous drugs,  
48 controlled precursors and essential chemicals,  
49 instruments/paraphernalia and/or laboratory equipment

1 including the proceeds or properties obtained from the unlawful  
2 acts as provided for in this Act.  
3

4 Any elective local or national official found to have benefited  
5 from the proceeds of the trafficking of dangerous drugs as  
6 prescribed in this Act, or have received any financial or material  
7 contributions or donations from natural or juridical persons found  
8 guilty of trafficking dangerous drugs as prescribed in this Act,  
9 shall be removed from office and perpetually disqualified from  
10 holding any elective or appointive positions in the government, its  
11 divisions, subdivisions, and intermediaries, including government-  
12 owned or -controlled corporations.”  
13

14 **SEC. 21.** Section 29 of Republic Act No. 9165, as amended, is hereby  
15 further amended to read as follows:  
16

17 **“SEC. 29. Criminal Liability for Planting of Evidence.** – Any  
18 person who is found guilty of "planting" any dangerous drug  
19 and/or controlled precursor and essential chemical, regardless of  
20 quantity and purity, shall suffer the penalty of [**reclusion**  
21 **perpetua**] **DEATH.**”  
22

23 **SEC. 22.** Section 3 of Republic Act No. 10883, otherwise known as the  
24 “New Anti-Carnapping Act of 2016” is hereby amended to read as follows:  
25

26 **“SEC. 3. Carnapping; Penalties.** – Carnapping is the taking,  
27 with intent to gain, of a motor vehicle belonging to another without  
28 the latter’s consent, or by means of violence against or intimidation  
29 of persons, or by using force upon things.  
30

31 Any person who is found guilty of carnapping shall, regardless  
32 of the value of the motor vehicle taken, be punished by  
33 imprisonment for not less than twenty (20) years and one (1) day  
34 but not more than thirty (30) years, when the carnapping is  
35 committed without violence against or intimidation of persons, or  
36 force upon things; and by imprisonment of not less than thirty (30)  
37 years to forty (40) years, when the carnapping is committed by  
38 means of violence against or intimidation of persons, or force upon  
39 things; and the penalty of life imprisonment **TO DEATH** shall be  
40 imposed when the owner, driver, or occupant of the carnapped  
41 motor vehicle is killed or raped in the commission of the  
42 carnapping.  
43

44 xxx xxx xxx”  
45

46 **SEC. 23.** Article 47 of the Revised Penal Code, as amended, is hereby  
47 further amended to read as follows:  
48

49 **ARTICLE 47. IN WHAT CASES THE DEATH PENALTY SHALL**

1 **NOT BE IMPOSED; AUTOMATIC REVIEW OF THE DEATH**  
2 **PENALTY CASES. — THE DEATH PENALTY SHALL BE**  
3 **IMPOSED IN ALL CASES IN WHICH IT MUST BE IMPOSED**  
4 **UNDER EXISTING LAWS, EXCEPT WHEN THE GUILTY PERSON**  
5 **IS BELOW EIGHTEEN (18) YEARS OF AGE AT THE TIME OF**  
6 **THE COMMISSION OF THE CRIME OR IS MORE THAN**  
7 **SEVENTY YEARS OF AGE OR WHEN UPON APPEAL OR**  
8 **AUTOMATIC REVIEW OF THE CASE BY THE SUPREME COURT,**  
9 **THE REQUIRED MAJORITY VOTE IS NOT OBTAINED FOR THE**  
10 **IMPOSITION OF THE DEATH PENALTY, IN WHICH CASES THE**  
11 **PENALTY SHALL BE RECLUSION PERPETUA.**

12  
13 **IN ALL CASES WHERE THE DEATH PENALTY IS IMPOSED**  
14 **BY THE TRIAL COURT, THE RECORDS SHALL BE**  
15 **FORWARDED TO THE SUPREME COURT EN BANC, WITHIN**  
16 **(20) TWENTY DAYS BUT NOT EARLIER THAN FIFTEEN (15)**  
17 **DAYS AFTER PROMULGATION OF THE JUDGMENT OR NOTICE**  
18 **OF DENIAL OF ANY MOTION FOR NEW TRIAL OR**  
19 **RECONSIDERATION. THE TRANSCRIPT SHALL ALSO BE**  
20 **FORWARDED WITHIN TEN (10) DAYS FROM THE FILING**  
21 **THEREOF BY THE STENOGRAPHIC REPORTER.”**

22  
23 **SEC. 24.** Article 81 of the Revised Penal Code, as amended, is hereby  
24 further amended to read as follows:

25  
26 **“ARTICLE 81. WHEN AND HOW THE DEATH PENALTY IS TO**  
27 **BE EXECUTED. — THE DEATH SENTENCE SHALL BE**  
28 **EXECUTED WITH PREFERENCE TO ANY OTHER AND SHALL**  
29 **CONSIST IN PUTTING THE PERSON UNDER SENTENCE TO**  
30 **DEATH BY ANY OF THE FOLLOWING METHODS:**

- 31  
32 **A) HANGING;**  
33 **B) FIRING SQUAD; OR**  
34 **C) LETHAL INJECTION**

35  
36 **THE DEATH SENTENCE SHALL BE EXECUTED UNDER THE**  
37 **AUTHORITY OF THE DIRECTOR OF THE BUREAU OF**  
38 **CORRECTIONS WHO SHALL TAKE STEPS TO ENSURE THAT**  
39 **THE EXECUTION UNDER ANY OF THE ABOVE METHODS IS**  
40 **SUFFICIENT TO CAUSE THE INSTANTANEOUS DEATH OF THE**  
41 **CONVICT.**

42  
43 **PURSUANT TO THIS, ALL PERSONNEL INVOLVED IN THE**  
44 **HANGING, FIRING SQUAD AND IN THE ADMINISTRATION OF**  
45 **THE LETHAL INJECTION SHALL BE TRAINED PRIOR TO THE**  
46 **PERFORMANCE OF SUCH TASK.**

47  
48 **THE AUTHORIZED PHYSICIAN OF THE BUREAU OF**  
49 **CORRECTIONS, AFTER THOROUGH EXAMINATION, SHALL**

1           **OFFICIALLY MAKE A PRONOUNCEMENT OF THE CONVICT'S**  
2           **DEATH AND SHALL CERTIFY THERETO IN THE RECORDS OF**  
3           **THE BUREAU OF CORRECTIONS.**

4  
5           **THE DEATH SENTENCE SHALL BE CARRIED OUT NOT**  
6           **EARLIER THAN ONE (1) YEAR NOR LATER THAN EIGHTEEN**  
7           **(18) MONTHS AFTER THE JUDGMENT HAS BECOME FINAL**  
8           **AND EXECUTORY, WITHOUT PREJUDICE TO THE EXERCISE**  
9           **BY THE PRESIDENT OF EXECUTIVE CLEMENCY POWERS AT**  
10          **ALL TIMES.”**

11  
12          **SEC. 25. *Implementing Rules and Regulations.*** - Within thirty (30)  
13 days from the approval of this Act, the Secretary of Justice shall promulgate  
14 the necessary rules and regulations for the effective implementation of this  
15 Act.

16  
17          **SEC. 26. *Separability Clause.*** - If any provision or part of this Act is  
18 declared invalid or unconstitutional, the remaining parts or provisions not  
19 affected shall remain in full force and effect.

20  
21          **SEC. 27. *Repealing Clause.*** - Republic Act No. 9346, entitled “An Act  
22 Prohibiting the Imposition of the Death Penalty in the Philippines” is hereby  
23 repealed. Act No. 3815, Republic Act No. 7080, Republic Act No. 9165 and  
24 Republic Act No. 10883 are hereby amended accordingly. All other laws,  
25 rules, regulations, orders, circulars and other issuances or parts thereof,  
26 which are inconsistent with the provisions of this Act are hereby repealed,  
27 amended or modified accordingly.

28  
29          **SEC. 28. *Effectivity.*** - This Act shall take effect fifteen (15) days after its  
30 publication in the Official Gazette or in a newspaper of general circulation.

31  
32  
33          Adopted,

**House of Representatives**  
**Committee Affairs Department**

**FACT SHEET**

House Bill No. 4727  
(in substitution of House Bills 1, 16, 5134, ~~4727~~, 3239, 3240 and 3418)

**AN ACT IMPOSING THE DEATH PENALTY ON CERTAIN HEINOUS CRIMES, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 9346, ENTITLED "AN ACT PROHIBITING THE IMPOSITION OF DEATH PENALTY IN THE PHILIPPINES" AND AMENDING ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE "REVISED PENAL CODE", AND OTHER SPECIAL PENAL LAWS**

*Introduced by: Reps. FREDENIL H. CASTRO, PANTALEON D. ALVAREZ, RODOLFO C. FARIÑAS, ROZZANO RUFINO B. BIAZON, ROBERT ACE S. BARBERS, ROGELIO D. PACQUIAO, ROLANDO G. ANDAYA, JR., MICHAEL JOHN R. DUAVIT, CARLOS O. COJUANGCO, ELISA T. KHO, RANEO E. ABU, BENHUR L. SALIMBANGON, DANILO E. SUAREZ, RODEL M. BATOCABE, GWENDOLYN F. GARCIA, REYNALDO V. UMALI, VICENTE S. E. VELOSO and HENRY S. OAMINAL*

*Committee Referral: **Committee on Justice***

*Committee Chairperson: **Rep. REYNALDO V. UMALI***

**OBJECTIVE:**

- To impose the death penalty for heinous crimes that are grievous, odious and hateful offenses and, by reason of their inherent or manifest wickedness, viciousness, atrocity and perversity, are repugnant to the common standards of decency and morality in a just, civilized and ordered society.

**KEY PROVISIONS:**

- Imposes the death penalty for the following crimes:
  - I. Under the Revised Penal Code:
    - Treason (Art. 114)
    - Qualified Piracy (Art. 123)
    - Qualified Bribery (Art. 211-A)
    - Parricide (Art. 246)
    - Murder (Art. 248)
    - Infanticide (Art. 255)
    - Rape (Arts. 266-A & 266-B)
    - Kidnapping and Serious Illegal Detention (Art. 267)
    - Robbery with Homicide, Rape, Intentional Mutilation or Arson (Art. 294)
    - Destructive Arson (Art. 320)

## II. Plunder under RA 7080

### III. Under RA 9165 (Comprehensive Dangerous Drugs Act)

- Importation (Sec. 4)
- Sale, Trading, Administration, Dispensation, Delivery, Distribution and Transportation (Sec. 5)
- Maintenance of a Den, Dive or Resort (Sec. 6)
- Manufacture (Sec. 8)
- Possession of certain quantities of dangerous drugs (Sec. 11)
- Cultivation (Sec. 16)
- Unlawful Prescription (Sec. 19)
- Misappropriation or Failure to Account Confiscated, Seized or Surrendered Dangerous Drugs (Sec. 27)
- Planting of Evidence (Sec. 29)

### IV. Carnapping under RA 6539

- Proposes the following modes of execution for persons convicted of the death penalty: by hanging, through firing squad, or by lethal injection.
- Lowers the threshold amount for possession of methamphetamine hydrochloride (shabu) from 50 grams to 10 grams that would be penalized by the death penalty.
- Expressly Repeals Republic Act No. 9346 (An Act Prohibiting the Imposition of the Death Penalty in the Philippines).

#### **RELATED LAWS:**

- Sec. 19 (1) Art. III, 1987 Constitution
- RA 9346
- Act No. 3815 (Revised Penal Code)
- RA 7080 (Plunder Law)
- RA 9165 (Comprehensive Dangerous Drugs Act)
- RA 6539 (Carnapping)