"IF THE PERSON RESPONSIBLE FOR THE DISCHARGE
OF FIREARM IS A MEMBER OF THE PHILIPPINE NATIONAL
POLICE, ARMED FORCES OF THE PHILIPPINES, OR ANY
LAW ENFORCEMENT AGENCY AUTHORIZED BY LAW TO BEAR
ARMS, THE PENALTY OF ONE (1) DEGREE HIGHER THAN
THAT PROVIDED IN THE PRECEDING PARAGRAPH SHALL BE
IMPOSED."

For the purpose of this Act, the term “device” refers to anything
that may not have been designed as a firearm but can be functionally
adapted and used as a firearm.

SEC. 2. Republic Act No. 10591, otherwise known as the
"Comprehensive Firearms and Ammunition Regulation Act", is
hereby amended by inserting a new section after Section 41, which
shall read as follows:

"SEC. 41-A. INDISCRIMINATE FIRING OF FIREARM;
DEFINITION; PENALTIES. — ANY PERSON WHO SHALL
DISCHARGE OR SHOOT ANY FIREARM OR ANY DEVICE
WITHOUT LAWFUL AUTHORITY, OR IN A RANDOM, AIMLESS,
PURPOSELESS, OR INDISCRIMINATE MANNER, SHALL
SUFFER THE PENALTY OF PRISION MAYOR IN ITS MEDIUM
PERIOD.

"IF THE INDISCRIMINATE FIRING OF FIREARM OR
DEVICE SHALL RESULT IN INJURY TO A PERSON OR DAMAGE
TO PROPERTY, THE RESULTING CRIMES SHALL BE
CONSIDERED AS DISTINCT AND SEPARATE OFFENSES.

"IF THE INDISCRIMINATE FIRING OF FIREARM SHALL
RESULT IN THE DEATH OF A VICTIM, THE PENALTY OF
RECLUSION TEMPORAL SHALL BE IMPOSED.

"IF THE OFFENDER IS A MEMBER OF THE PHILIPPINE
NATIONAL POLICE, ARMED FORCES OF THE PHILIPPINES,

BY REPRESENTATIVES ACOP, BRAVO, PLAZA, REVILLA,
MARIANO-HERNANDEZ, LOYOLA, EBCAS, CABOCHAN,
TEVES (A.), BORDADO AND PADUANO, PER COMMITTEE
REPORT NO. 209

AN ACT DEFINING THE OFFENSES OF DISCHARGE OF FIREARMS
AND INDISCRIMINATE FIRING OF FIREARMS AND PROVIDING
STIFFER PENALTIES THEREFOR, AMENDING FOR THE
PURPOSE ARTICLE 254 OF ACT NO. 3815, AS AMENDED,
OTHERWISE KNOWN AS "THE REVISED PENAL CODE",
AND REPUBLIC ACT NO. 10591, OTHERWISE KNOWN AS
THE "COMPREHENSIVE FIREARMS AND AMMUNITION
REGULATION ACT"

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

SECTION 1. Article 254 of Act No. 3815, as amended, otherwise
known as "The Revised Penal Code", is hereby amended to read as
follows:

"Article 254. Discharge of Firearms. — Any person who
shall shoot at another with any firearm or any device
shall suffer the penalty of prision correccional in its
[minimum and medium periods] maximum period, unless
the facts of the case are such that the act can be held to
constitute frustrated or attempted homicide, murder,
homicide, or any other crime for which a higher penalty is
prescribed by any of the articles of this Code.
OR ANY LAW ENFORCEMENT AGENCY AUTHORIZED BY LAW
TO BEAR ARMS, THE PENALTY OF ONE (1) DEGREE HIGHER
THAN THAT PROVIDED IN THE PRECEDING PARAGRAPHS
SHALL BE IMPOSED. THE OFFENDER SHALL LIKewise BE
SUBJECT TO SUMMARY DISMISSAL PROCEEDINGS AND
SHALL BE PERPETUALLY DISQUALIFIED FROM HOLDING
ANY PUBLIC OFFICE.

"IN ADDITION TO THE PENALTIES IMPOSED HEREIN,
ANY FIREARM LICENSE OR PERMIT ISSUED IN FAVOR OF
THE OFFENDER SHALL BE SUMMARILY CANCELLED, AND
THE OFFENDER SHALL BE PERPETUALLY DISQUALIFIED
FROM BEING GRANTED ANY FIREARM LICENSE OR PERMIT."

Sec. 3. If any portion or provision of this Act is declared
unconstitutional, the remainder of the Act or any provision not
affected thereby shall remain in force and effect.

Sec. 4. Article 254 of Act No. 3815 and Republic Act No. 10591
are hereby amended. All laws, decrees, orders, rules and regulations
or other issuances or parts thereof inconsistent with the provisions of
this Act are hereby repealed or modified accordingly.

Sec. 5. This Act shall take effect fifteen (15) days after its
publication in the Official Gazette or in a newspaper of general
circulation.

Approved,