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**REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
QUEZON CITY, METRO MANILA**

**THIRTEENTH CONGRESS
First Regular Session**

HOUSE BILL NO. 2537

INTRODUCED BY HONORABLE OSCAR L. GOZOS

EXPLANATORY NOTE

Two years after the enactment of Republic Act No. 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002, on June 07, 2002, new problems areas are emerging that, if left unchecked at this early stage, could later undermine the all-out war policy of the State against dangerous drugs.

Recent events disclose that many warehouses in Valenzuela City and other areas in Metro Manila were being used to conceal clandestine "shabu" laboratories. Stockpiles of chemicals used in the manufacture of different dangerous drugs were uncovered and seized from these buildings and warehouses. In all the raids conducted on these places, the owner of the building or warehouse escaped criminal indictment by simply exhibiting a contract of lease involving the property subject of the police operation.

Without imputing malice and criminal intent on the part of the owners of these properties, it is imperative, however, that a certain mechanism be designed to help curtail this emerging pattern, which could later put a big hole in the effective campaign of the State to eventually stamp-out the problem of drugs in the country. Owners of a building, warehouse, or any other edifice, who engage in the business of leasing these properties, should share the burden and join the State in seeing that these properties are in fact not being used in illegal activities. Otherwise, the owners assume the risk of being indicted together with the lessees, who used the property in the manufacture and storage of dangerous drugs.

If this policy would not be adopted, government authorities would definitely face a blank wall in their quest to establish connivance between the owner-lessor and the lessee of the property to engage in illegal drug activities.

**LEGISLATIVE ARCHIVES SERVICE
HOUSE OF REPRESENTATIVES**

This bill, thus, seeks to address this emerging problem area in the fight against dangerous drugs. I trust my colleagues will likewise see through the importance of ensuring the early passage of this legislative piece.


OSCAR L. GOZOS
4th District, Batangas

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AN ACT PENALIZING A NEGLIGENT LESSOR OF A BUILDING, WAREHOUSE, OR ANY EDIFICE FOUND TO BE USED IN THE MANUFACTURE OR STORAGE OF DANGEROUS DRUGS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9165, OTHERWISE KNOWN AS THE COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002

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

SECTION 1. There shall be incorporated after Section 26 of Republic Act No. 9165 a new section to read as follows:

"Sec. 26-A. Criminal Liability of Lessor of Building, Warehouse or any Edifice Found Utilized in the Manufacture or Storage of Dangerous Drugs. - The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon an owner of a building, warehouse, or any edifice, or his authorized representative, who shall lease the property to any person but neglects to check and confirm that it is actually used for a lawful purpose, whose property is found actually utilized as clandestine laboratory or used in the manufacture or storage of dangerous drugs.

For purposes of this section, the owner or his authorized representative shall be prima facie considered negligent if he failed to visit and check the leased property at least once every given quarter, but in no case shall the checking be less than four times in a year."

SECTION 2. If for any reason any portion of this Act or the application of such portion thereof to any person, group or circumstance is declared invalid or unconstitutional, the remainder of this Act shall not be affected by such declaration and shall remain in force and effect.

SECTION 3. This Act shall take effect immediately upon approval.

APPROVED, _____.