

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

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 1512

INTRODUCED BY HON. MARCELINO R. TEODORO

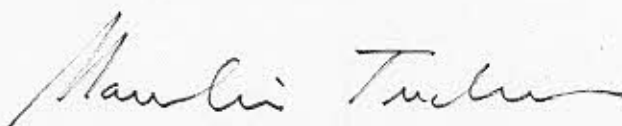
EXPLANATORY NOTE

The proposal seeks to provide stiffer penalties for theft, robbery, vandalism or destruction of public school properties.

Given the problems plaguing the Philippine educational system, like classroom shortage, insufficient textbooks, other educational materials and facilities, and dismal teacher-student ratio due mainly to lack of appropriate funding from the national government, it is just proper to enact legislation that would protect the scarce resources of public schools in the country.

The measure, specifically, proposes to (1) impose a higher penalty for theft or robbery under Chapters 1 and 3 of Title 10 of the Revised Penal Code when the object of the crime is a school property; (2) provide the definition of *destructive arson* the burning of a public school building which under Article 320 of the Revised Penal Code is punishable by *reclusion perpetua*; (3) provide that the destruction of property not covered by the other provisions of the Act shall be considered as a Special Case of Malicious Mischief under Article 328 of the Revised Penal Code punishable by *prision correctional* its minimum and medium periods, if the value of the damage caused exceeds 1,000 pesos, *arresto mayor*, if such value does not exceed the abovementioned amount but is over 200 pesos, and by *arresto menor*, if such value does not exceed 200 pesos; and (4) a penalty higher by one degree than provided in Revised Penal Code when the object of malicious mischief (under Article 328 of the Revised Penal Code) or other malicious acts (under Article 329 of the Revised Penal Code) is a school property.

In view of the foregoing, approval of this bill is earnestly sought.



MARCELINO "MARCY" R. TEODORO

Representative, 1st District
City of Marikina

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AN ACT
PROVIDING STIFFER PENALTIES FOR ROBBERY, THEFT AND
DESTRUCTION OF PUBLIC SCHOOL PROPERTY

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

SECTION 1. *Short Title.*— This Act shall be known as the “Public School Security Act of 2010”.

SEC. 2. *Definition.* —

(a) “School property” refers to all buildings, grounds and other property, real or personal, which belong to a public school, whether the property is acquired through public funds, loans, donations or lease.

(b) “Public school” refers to all State-owned schools, colleges and universities.

SEC. 3. *Theft or Robbery of School Property; Penalty.* — Any person convicted of the crime of theft or robbery of any school property shall be punished by the penalty next higher in degree than those imposable for such offenses under Chapters One and Three of Title Ten of the Revised Penal Code: *Provided*, That the penalty specified herein shall no longer be made applicable if the imposable penalty is in its maximum period.

SEC. 4. *Destruction of School Property; Penalty.* — A public school building shall be considered a building of public ownership devoted to the use of the public in general under Article 320 of the Revised Penal Code. Any person who shall burn a public school building shall be convicted of the crime of destructive arson as defined in Article 320 of the Revised Penal Code.

SEC. 5. *Special Case of Malicious Mischief; Penalty.* — Destruction to school property not covered by the immediately preceding sections shall be considered a special case of malicious mischief under Chapter Nine of Title Ten of the Revised Penal Code. Any person who shall cause damage to school property shall be punished with the penalty next higher in degree than those imposable under Articles 328 and 329 of the Revised Penal Code.

SEC. 6. *Penalty for Public Officials.* — If the person convicted of the crimes referred to in this Act is a public official as defined in Republic Act No. 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees, the

the additional penalty of perpetual disqualification from public office shall be imposed. Conviction of a public officer under this Act is without prejudice to criminal prosecution and/or administrative proceedings under applicable civil service laws and regulations, Republic Act No. 6713, and Republic Act No. 3019 or the Anti-Graft and Corrupt Practices Act.

SEC. 7. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or other issuances or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 8. *Separability Clause.* – If any portion of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SEC. 9. *Effectivity.* – This Act shall take effect after fifteen (15) days following the completion of its publication either in the *Official Gazette* or in a newspaper of general circulation in the Philippines.

Approved,