

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1421



Introduced by Representative Harlin Cast. Abayon

EXPLANATORY NOTE

This bill will increase the jail time and monetary penalties for felons convicted of theft, robbery and destruction of public school property. In view of the security vulnerabilities of our schools, there is undoubtedly an urgent need for a stronger deterrent against such crimes. This measure was previously filed by Senator Manny Villar in the 15th Congress. Passage of this Bill is earnestly sought now in the 16th Congress.


HARLIN CAST. ABAYON
Representative
First District of Northern Samar

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

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 "Public School
2 Security Act of 2010".

3 **SECTION. 2. Definition of Terms.** –

4 a. "School property" refers to all buildings, grounds and other property, real and
5 personal, which belong to a public school, whether the property is acquired through
6 public funds, loans, donations or lease.

7 b. "Public School" refers to all state-owned schools, colleges and universities.

8 **SECTION. 3. Penalty for Theft and Robbery of School Property.** – Any
9 person convicted of the crime of theft or robbery as defined under Chapters One and
10 Three of Title Ten of the Revised Penal Code of any school property shall be punished
11 by the penalty next higher in degree than those respectively specified in the
12 aforementioned articles of the Revised Penal Code: *Provided, That the additional*
13 *penalty specified herein shall no longer be made applicable if the imposable penalty is*
14 *in its maximum period.*

15 **SECTION. 4. Penalty for Destruction of School Property.** – A public school
16 building shall be considered a building of public ownership devoted to the use of public
17 in general under Article 320 of the Revised Penal Code. Any person who shall burn a
18 public school building shall be convicted of the crime of destructive arson as defined in
19 Article 320 of the Revised Penal Code.

20 **SECTION. 5. Penalty for Special Case of Malicious Mischief.** – Destruction to
21 school property not covered by the immediately preceding Sections shall be considered
22 a special case of malicious mischief under Chapter Nine of Title Ten of the Revised
23 Penal Code. Any person who shall cause damage to school property shall be punished

1 with the penalty next higher in degree than those specified in Articles 328 and 329 of
2 the Revised Penal Code.

3 **SECTION. 6. *Penalty for Public Officials.*** – If the person convicted of the
4 crimes referred in this Act is a public official as defined in Republic Act No. 6713 or the
5 Code of Conduct and Ethical Standards for Public Officials and Employees, the
6 additional penalty of perpetual disqualification from public office shall be imposed.
7 Conviction of a public officer under this Act is without prejudice to criminal prosecution
8 and/or administrative proceedings under applicable Civil Service laws and regulations,
9 Republic Act No. 6713, and Republic Act No. 3019 or the Anti-Graft and Corrupt
10 Practices Act.

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

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

17 **SECTION. 9. *Effectivity Clause.*** – This Act shall take effect 15 days after its
18 complete publication in at least two (2) newspapers of general circulation.

19 Approved,