



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila
Sixteenth Congress
First Regular Session
HOUSE BILL NO. 2777



Introduced by Honorable Samuel D. Pagdilao

EXPLANATORY NOTE

This bill seeks to mandate that all convicts, parolees, probationers and apprehended individuals who are under the influence of dangerous drugs shall undergo drug testing.

Among the many problems that threaten our society is drug addiction. It is considered one of the evils of today's society that involves not only the peace and order of our country but also erodes the physical and moral well-beings of our people. Despite efforts of various law enforcement agencies to carry out the law, the drug problem seems to escalate. It is common knowledge that many criminals commit offenses while under the influence of drugs or to get money to buy drugs.

The government does everything to safeguard its citizenry against drug abuse. But there is a need for a rigid approach to cut down the tie-up between drugs and crimes. The task of preventing drug abuse remains a challenge particularly if we read reports of drug use among prisoners or convicts who were previously released on probation or parole.

While it is true that inmates inside the correctional institutions have restricted movement, it is possible that drugs are smuggled in through visitors, friends and families of inmates or by corrupt officials. It is therefore important that inmates are monitored through regular random drug testing. It must start from the time of incarceration and in some instances, even after their release and integration to the community.

Parolees and probationers who report regularly to parole or probation officer are likewise required to undergo drug testing to ensure that they are free from the use of drugs.

Lastly, this bill likewise authorizes enforcement officers to require apprehended individuals who appear to be under the influence of dangerous drugs or similar substances to undergo drug testing.

In view of the foregoing, approval of this bill is highly recommended.


SAMUEL D. PAGDILAO



Republic of the Philippines
HOUSE OF REPRESENTATIVES

Quezon City, Metro Manila

Sixteenth Congress
First Regular Session

HOUSE BILL NO. 2777

Introduced by Honorable Samuel D. Pagdilao

AN ACT

MANDATING DRUG TESTING TO ALL CONVICTS, PAROLEES, PROBATIONERS AND APPREHENDED INDIVIDUALS WHO ARE UNDER THE INFLUENCE 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 House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 36 of Republic Act No. 9165 is hereby amended to read as follows:

"SEC. 36. *Authorized Drug Testing.* – Authorized drug testing shall be done by a government forensic laboratories or by any of the drug testing laboratories accredited and monitored by the DOH to safeguard the quality of test results. The DOH shall take steps in setting the price of the drug test with DOH accredited drug testing centers to further reduce the cost of such drug test. The drug testing shall employ, among others, two (2) testing methods, the screening test which will determine the positive result as well as the type of the drug used and the confirmatory test

which will confirm a positive screening test. EXCEPT FOR PARAGRAPH (H), [D]drug test certificates issued by accredited drug testing centers shall be valid for a one-year period from the date of issue which may be used for other purposes. The following shall be subjected to undergo drug testing:

- a) x x x;
- b) x x x;
- c) x x x;
- d) x x x;
- e) x x x;
- f) x x x; [and]
- g) x x x[.];

H) ALL PRISONERS, PAROLEES AND PROBATIONERS, SHALL UNDERGO RANDOM DRUG TESTING EVERY SIX MONTHS TO ENSURE THAT THEY ARE FREE FROM THE USE OF DANGEROUS DRUGS; AND

I) AN APPREHENDED INDIVIDUAL WHO AT THE TIME OF THE ARREST OR COMMISSION OF A CRIME, THE LAW ENFORCEMENT OFFICER HAS PROBABLE CAUSE TO BELIEVE THAT THE INDIVIDUAL IS UNDER THE INFLUENCE OF DANGEROUS DRUGS OR OTHER SIMILAR SUBSTANCES, SHALL UNDERGO MANDATORY DRUG TESTING.

In addition to the above stated penalties in this Section, those found to be positive for dangerous drugs use shall be subject to the provisions of Section 15 of this Act.”

SEC. 2. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in two (2) national newspapers of general circulation.

Approved,