

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3569



Introduced by Representative **MARLYN L. PRIMICIAS-AGABAS**

AN ACT
AMENDING REPUBLIC ACT NO. 4130 ALSO KNOWN AS
THE INDETERMINATE SENTENCE LAW

EXPLANATORY NOTE

The proposal has been filed in the 14th and 15th Congresses and this representation deems it fit that the proposal must be reconsidered in this Congress. The bill seeks to amend Republic Act No. 4130 also known as the Indeterminate Sentence Law. It proposes to include criminal offenses against minors in the enumeration of certain crimes to which the provisions of the Act do not apply.

It is paramount for a society to protect those who are helpless, which in this proposal focuses on children. Those that are subject to abuse and ill-treatment must be protected in order to deter individuals from perpetuating abuse and take advantage of their vulnerability.

The application of this Law is limited by excluding persons convicted of certain crimes against minors. The mere nature of seriousness of the offense committed against a minor justifies its inclusion on the enumeration in Sec. 2. of RA 4103.

In this regard, the indeterminate sentence law shall not apply to those who have been convicted of offenses against minor, which is comparable to or analogous to any of the following: kidnapping of a minor, except by a parent; false imprisonment of a minor or sexual conduct to the same among others.

In view hereof, passage of the bill is earnestly sought.

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HOUSE BILL NO. 3569

Introduced by Representative **MARLYN L. PRIMICIAS-AGABAS**

AN ACT AMENDING SECTION 2 OF REPUBLIC ACT NO. 4103, AS AMENDED, OTHERWISE KNOWN AS THE INDETERMINATE SENTENCE LAW.

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

SECTION 1 Section 2 of Republic Act No. 4103, as amended, otherwise known as the Indeterminate Sentence Law, is hereby further amended to read as follows:

“Sec. 2. This Act shall not apply to persons convicted of offenses punished with death penalty or life-imprisonment; to those convicted of treason, conspiracy or proposal to commit treason; to those convicted of misprision of treason, rebellion, sedition or espionage; to those convicted of piracy; **TO THOSE CONVICTED OF CRIMINAL OFFENSE AGAINST A MINOR, WHICH IS COMPARABLE TO OR EXCEEDS ANY OF THE FOLLOWING: KIDNAPPING OF A MINOR, EXCEPT BY A PARENT; FALSE IMPRISONMENT OF A MINOR, EXCEPT BY A PARENT; CRIMINAL SEXUAL CONDUCT TOWARDS A MINOR; SOLITATION OF A MINOR TO ENGAGE IN SEXUAL CONDUCT; USE OF A MINOR IN A SEXUAL PERFORMANCE; SOLITICITATION OF A MINOR TO PRACTICE PROSTITUTION; ANY CONDUCT THAT BY ITS NATURE IS A SEXUAL OFFENSE AGAINST A MINOR; AND PRODUCTION OR DISTRIBUTION OF CHILD PORNOGRAPHY;** to those who are habitual delinquents; to those who have escaped from confinement or evaded sentence;

18 to those who having been granted conditional pardon by the Chief Executive
19 shall have violated the terms thereof; to those whose maximum term of
20 imprisonment does not exceed one year, not to those already sentenced by final
21 judgment at the time of approval of this Act, except as provided in Section 5
22 hereof.
23

24 SEC. 2. *Repealing Clause.* Any law, presidential decree, or issuances, executive
25 orders, letter of instructions, administrative rules or orders or regulations contrary
26 to provisions of this Act is hereby repealed, modified or amended.
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28 SEC. 3. *Effectivity Clause.* – This Act shall take effect fifteen days after publication in
29 the Official Gazette or in the at least two (2) newspapers of general circulation.
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31 *Approved,*
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