

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

16th Congress
Second Regular Session

House Bill No. 5374



Introduced by Representative Teddy Brawner Baguilat

EXPLANATORY NOTE

Every time we welcome a new year we always encounter stories of innocent people dying from senseless indiscriminate firing committed by individuals who do not care about the consequences of their actions. In 2015, there were sixty-one (61) victims injured due to stray bullets.

Stephanie Nicole Ella, 11-years old, died because of this.

Despite hearing these tragic stories every start of the year, one is left speechless as to how this remains unsolved.

The act of indiscriminately firing and alarms and scandal is already punished under the Revised Penal Code. Yet, given the years since the Code was passed, the penalty remained the same without recognizing the cultural transformation and regular occurrence of such felonies.

Hence, to keep it up to date and give greater teeth to the felonies covered, this Bill is filed to increase the respective penalties for the commission of the felonies provided.

In view of the foregoing, the passage of this Bill is earnestly sought.


Teddy Brawner Baguilat
Representative - Lone District of Ifugao

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AN ACT PROVIDING FOR STIFFER PENALTIES FOR WILFUL OR INDISCRIMINATE DISCHARGE OF FIREARMS, AMENDING FOR THE PURPOSE ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE

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

SECTION 1. Article 155 of Act No. 3815 is hereby amended to read as follows:

“Art. 155. **Alarms and Scandals.** – The penalty of *arresto menor* or a fine not exceeding 200 pesos shall be imposed upon:

1. Any person who within any town or public place, shall discharge any [firearm], rocket, firecracker, or other explosive calculated to cause alarm, or danger;

xxx

xxx

xxx”

SEC. 2 Article 254 of the same Act is also hereby amended to read as follows:

“Art. 254. **Discharge of Firearms.** – Any person who shall shoot at another any firearm shall suffer the penalty of *prision correccional* in its minimum and medium periods, unless the facts of the case are such that the act can be held to constitute frustrated or attempted parricide, murder, homicide, or any other crime of which a higher penalty is prescribed by any of the articles of this Code.

ANY PERSON WHO SHALL WILLFULLY AND INDISCRIMINATELY DISCHARGE ANY FIREARM, OR OTHER WEAPON, IN ANY PUBLIC PLACE WHERE THERE IS ANY PERSON OR PROPERTY TO BE ENDANGERED THEREBY SHALL SUFFER THE PENALTY OF *PRISION CORRECCIONAL* IN ITS MAXIMUM PERIOD, UNLESS THE FACTS OF THE CASE CAN BE HELD TO CONSTITUTE ANY OTHER CRIME OF WHICH A HIGHER PENALTY IS PRESCRIBED BY ANY OF THE ARTICLES OF THIS CODE.

IF THE PERSON WHO WILLFULLY AND INDISCRIMINATELY DISCHARGED A FIREARM, IS A MEMBER OF THE PHILIPPINE NATIONAL POLICE, ARMED FORCES OF THE PHILIPPINES OR A LAW ENFORCEMENT OFFICER, AND SUCH A DISCHARGE IS NOT IN THE PERFORMANCE OF OFFICIAL DUTIES, THE PENALTY OF *RECLUSION TEMPORAL* IN ITS MAXIMUM PERIOD SHALL BE IMPOSED.

IF THE WILLFUL AND INDISCRIMINATE DISCHARGE OF FIREARM RESULTS IN INJURIES CAUSING THE DEATH OF A PERSON, THE PENALTY OF *RECLUSION PERPETUA* SHALL BE IMPOSED."

SEC. 3. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or two (2) newspapers of general circulation.

Approved,



Teddy Brawner Baguilat
Representative – Lone District of Ifugao