

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



Seventeenth Congress
First Regular Session

HOUSE BILL NO. **4872**

Introduced by Representative Raul A. Daza

EXPLANATORY NOTE

This bill seeks to increase the penalties of *reclusion temporal* and *reclusion perpetua*, amending for the purpose Article 27 of the Revised Penal Code of the Philippines.

In 1993, Congress approved Republic Act No. 7659 (*An Act to Impose the Death Penalty on Certain Heinous Crimes, Amending for that Purpose the Revised Penal Laws, as Amended, Other Special Penal Laws, and for Other Purposes*), which imposed the death penalty on certain heinous crimes punished under the Revised Penal Code and certain special laws.

However, in 2006, Congress enacted Republic Act No. 9346 (*An Act Prohibiting the Imposition of the Death Penalty in the Philippines*), which abolished the death penalty and removed it from our penal laws.

While our country needs strong and effective deterrents against criminality, especially the scourge of illicit drugs, the death penalty has been empirically shown to be an ineffective one.

Thus, stiff penalties other than the death penalty for drug-related and heinous crimes is imperative both as a deterrent and for the effective dispensation of justice.

This bill, therefore, proposes that as an alternative to the death penalty, the penalties of *reclusion temporal* be increased from twelve years and one day to thirty years and *reclusion perpetua* from thirty years and one day to forty years.

In view of the foregoing considerations, approval of this bill is highly and earnestly urged.



RAUL A. DAZA

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AN ACT
INCREASING THE PENALTY OF *RECLUSION TEMPORAL* AND
RECLUSION PERPETUA, AMENDING FOR THE PURPOSE ACT NO.
3815, OTHERWISE KNOWN AS THE REVISED PENAL CODE, AS
AMENDED

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

SECTION 1. Article 27 of Act No. 2815 is hereby amended to read as
follows:

“CHAPTER III
DURATION AND EFFECT OF PENALTIES

SECTION 1. *Duration of Penalties.* –

ART. 27. *Reclusion Perpetua.* – The penalty of *reclusion perpetua*
shall be from [twenty] THIRTY years and one day to forty years.

PERSONS CONVICTED OF RECLUSION PERPETUA SHALL NOT
BE ELIGIBLE FOR PAROLE UNDER NO. 4103, OTHERWISE
KNOWN AS THE INDETERMINATE SENTENCE LAW, AS
AMENDED.

Reclusion Temporal. – The penalty of *reclusion temporal* shall be
from twelve years and one day to [twenty] THIRTY years.

SECTION 2. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

Chapter Three DURATION AND EFFECT OF PENALTIES

Section One. — Duration of Penalties

ART. 27. Reclusion perpetua. — The penalty of reclusion perpetua shall be from twenty years and one day to forty years. (As amended by R.A. No. 7659)

Reclusion temporal. — The penalty of reclusion temporal shall be from twelve years and one day to twenty years.

Prision mayor and temporary disqualification. — The duration of the penalties of *prision mayor* and temporary disqualification shall be from six years and one day to twelve years, except when the penalty of disqualification is imposed as an accessory penalty, in which case, its duration shall be that of the principal penalty.

Prision correccional, suspension, and destierro. — The duration of the penalties of *prision correccional*, suspension, and *destierro* shall be from six months and one day to six years, except when suspension is imposed as an accessory penalty, in which case, its duration shall be that of the principal penalty.

Arresto mayor. — The duration of the penalty of *arresto mayor* shall be from one month and one day to six months.

Arresto menor. — The duration of the penalty of *arresto menor* shall be from one day to thirty days.

Bond to keep the peace. — The bond to keep the peace shall be required to cover such period of time as the court may determine.

ART. 28. Computation of penalties. — If the offender shall be in prison, the term of the duration of the temporary penalties shall be computed from the day on which the judgment of conviction shall have become final.

If the offender be not in prison, the term of the duration of the penalty consisting of deprivation of liberty shall be com-