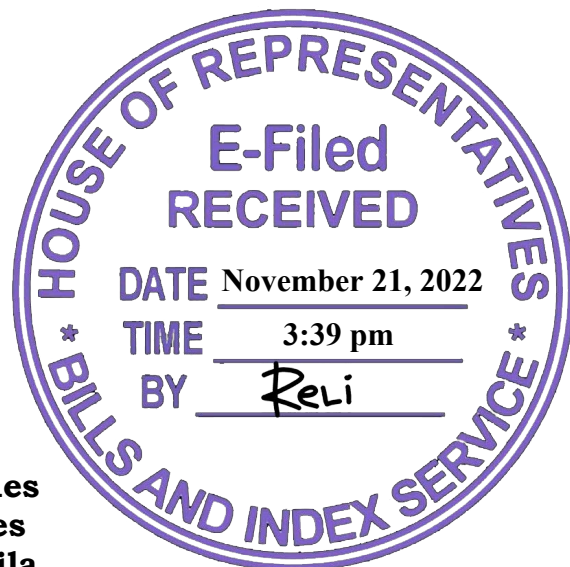




**Republic of the Philippines
House of Representatives
Quezon City, Metro Manila**

**Nineteenth Congress
First Regular Session**

HOUSE BILL NO. 6255



Introduced by Representative Rudys Caesar G. Fariñas I

EXPLANATORY NOTE

Congress enacted Republic Act No. 3019 in 1960 with the laudable intent of breathing life into the time-honored principle that a public office is a public trust. Accordingly, it penalized certain acts committed by public officers and private individuals to curb corrupt practices and graft in government.

This bill seeks to amend Section 13 of RA 3019 by providing an added feature to the imposition of preventive suspension against public officers. Said feature shall apply to public officers who are no longer connected with the office wherein the offense charged was committed. As disciplining authorities impose the preventive suspension to prevent an accused from influencing potential witnesses or tampering with records, the change in circumstances of the public officer effectively removes this threat, making the provision in line with the spirit and intent of the law.

Hence, this representation seeks the passage of this measure.



RUDYS CAESAR G. FARIÑAS I



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HOUSE BILL NO. 6255

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**AN ACT AMENDING SECTION 13 OF REPUBLIC ACT NO. 3019, AS
AMENDED, ENTITLED THE “ANTI-GRAFT AND CORRUPT PRACTICES
ACT”**

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

1
2 **SECTION 1.** Section 13 of Republic Act No. 3019, as amended, is
3 hereby further amended to read as follows:

4
5 “SECTION 13. Suspension and loss of benefits. – Any incumbent
6 public officer against whom any criminal prosecution under a valid
7 information under this Act or under Title 7, Book II of the Revised
8 Penal Code or for any offense involving fraud upon government or
9 public funds or property whether as a simple or as a complex
10 offense and in whatever stage of execution and mode of
11 participation, is pending in court, shall be suspended from office
12 **FOR A PERIOD NOT EXCEEDING NINETY (90) DAYS:**
13 **PROVIDED, THAT IN CASE SUCH ELECTED PUBLIC OFFICER**
14 **IS NO LONGER CONNECTED WITH THE OFFICE WHEREIN THE**
15 **OFFENSE CHARGED WAS COMMITTED, THE PREVENTIVE**
16 **SUSPENSION ORDER SHALL NO LONGER BE IMPLEMENTED.**
17

1 “Should [he] **THE INCUMBENT PUBLIC OFFICER** be convicted by
2 final judgment, he shall lose all retirement or gratuity benefits
3 under any law, but if he is acquitted, he shall be entitled to
4 reinstatement and to the salaries and benefits which he failed to
5 receive during suspension, unless in the meantime administrative
6 proceedings have been filed against him.

7
8 “In the event that such convicted officer, who may have already
9 been separated from the service, has already received such
10 benefits, he shall be liable to retribute the same to the government.”

11
12 **SEC. 2.** This Act shall take effect fifteen (15) days after its publication in
13 the Official Gazette or in a national newspaper of general circulation.

14
15 Approved,