



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 116

Introduced by

REPRESENTATIVE MARCELINO C. LIBANAN

AN
ACT PROVIDING FOR HOME INCARCERATION AS AN ALTERNATIVE MODE
OF SERVING SENTENCE, DEFINING ITS SCOPE, CONDITIONS, AND
PENALTIES FOR VIOLATION, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The Philippine penal system faces persistent problems of overcrowding, limited resources, and the need for humane alternatives to incarceration. Many non-violent and low-risk offenders must be better served through alternative that ensure public safety while encouraging rehabilitation and reintegration.

This bill introduces **home incarceration** as a legally recognized sentencing option for qualified offenders. This approach, already in place in several progressive justice systems worldwide, permits individuals to serve part or all of their sentence in their residence under strict monitoring, using modern technologies like electronic ankle bracelets and surveillance tools.

In an article posted by the United Nations on 14 July 2024, the current Philippine jail system has been characterized by severe overcrowding and challenging conditions. With overcrowding as a major issue, our jail facilities are operating at several times beyond their capacity, leading to inhumane living conditions for prisoners and detainees. UN has also reported that “The Philippines now has one of the most congested prison

systems in the world and with an overall occupation rate for pre-trial jails of a reported 322 per cent (down from 365 per cent in 2023) it ranks close to the Democratic Republic of the Congo, Haiti and Uganda in terms of overcrowding.”

It is highly urged that we find other approaches to address the situation both our correctional facilities and detention facilities. The passage of this bill will allow an alternative sentencing provided that the offender has satisfied the requirements set forth in the measure.

Thus, the approval of this measure is earnestly sought.


MARCELINO C. LIBANAN
Representative, 4Ps Party-list



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

SECTION 1. Short Title. – This Act shall be known as the “*Home Incarceration Act of 2025*”.

SECTION 2. Declaration of Policy. – It is the policy of the State to promote a restorative and rehabilitative approach to criminal justice. The state recognizes the need to ease jail congestion, reduce the costs of incarceration, and provide alternative forms of punishment, especially for non-violent and low-risk offenders.

SECTION 3. Definition of Terms. – As used in this Act:

- a.) **Home Incarceration** - The court-ordered confinement of a person to his or her residence instead of a correctional facility, under specified conditions and technological monitoring.
- b.) **Electronic Monitoring Device (EMD)** - A device worn by the offender, such as an ankle bracelet, to monitor movement and compliance.
- c.) **Qualified Offender** - A person convicted of a non-violent, bailable, or low-risk offense as determined by court.

SECTION 4. Eligibility for Home Incarceration. A person may be sentence to home incarceration if:

- a.) The offence is punishable by imprisonment not exceeding six (6) years;
- b.) The offender is a first-time offender or poses minimal flight risk;
- c.) The court, after recommendation of the Probation and Parole Administration and a psychological evaluation, finds the offender suitable for home incarceration.

SECTION 5. Conditions of Home Incarceration. The court may impose the following conditions:

- a.) Confinement to residence, except for court-approved reasons such as employment, education, or medical emergencies;
- b.) Installation and maintenance of EMDs and other monitoring tools;
- c.) Regular check-ins with designated law enforcement or probation officers;
- d.) Participation in rehabilitation, vocational, or community service programs;
- e.) Prohibition from use of alcohol or dangerous drugs, contact with victims or criminal elements.

SECTION 6. Violations and Penalties. Any violation of home incarceration conditions may result in:

- a.) Immediate revocation of home incarceration privileges;
- b.) Commitment to a correctional facility for the remainder of the sentence;
- c.) Additional penalties as provided under existing laws for escape or disobedience to lawful orders.

SECTION 7. Implementation. The Department of Justice (DOJ), in coordination with the Bureau of Corrections (BuCor), the Department of Information and Communications Technology (DICT), and the Department of the Interior and Local Government (DILG), shall promulgate the rules and regulations for the implementation of this Act, including the use and procurement of EMDs.

SECTION 8. Appropriations. The amount necessary for the implementation of this Act shall be charged against the current appropriations of the concerned agencies. Thereafter, such sums as may be necessary shall be included in the annual General Appropriations Act.

SECTION 9. Separability Clause. If any part or provision of this Act is declared unconstitutional or invalid, the other provisions not affected thereby shall remain in full force and effect.

SECTION 10. Repealing Clause. All laws, presidential decrees, executive orders, and rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 11. Effectivity. This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,