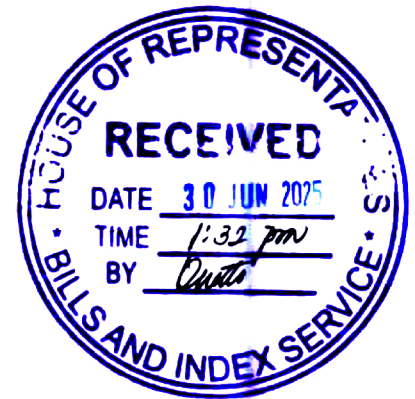


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

House Bill No. 370



Introduced by Representative Richard I. Gomez, DPA

EXPLANATORY NOTE

The administration of Former President Rodrigo R. Duterte was significantly lauded for its achievements in reducing criminality, especially those related to and involving the use, possession and trade of dangerous drugs. However, as of December 2021, over 11,000 barangays, making up about 26% of all barangays nationwide, are still classified as drug-affected barangays, according to the Philippine Drug Enforcement Agency (PDEA).

Also in 2021, the PDEA reported 50,565 drug-related arrests and 35,612 anti-illegal drugs operations. However, in the same year, only 181 cases were filed, resulting in only 23 convictions. It is also worth noting that 2021 was, in fact, the period which yielded the largest number of illegal drug cases filed and convictions since 2017, according to the Philippine National Police Drug Enforcement Group. These statistics illustrate an extensive gap in our national systems that support the fight against illegal and dangerous drugs.

To address this issue, this house bill seeks to establish dedicated courts for drug-related cases, to be called the Dangerous Drugs Courts, to exclusively hear and preside over dangerous and illegal drugs offenses, as cited in RA 9165, or the "Comprehensive Dangerous Drugs Act of 2002." With the establishment of such a court, we give priority judicial attention and action to drug-related crimes.

In the fight against dangerous and illegal drugs, time is of the essence. As drug criminals operate and plan swiftly and cunningly, our justice system must adapt and respond to improve our effectiveness and success rate, not just in arrests but in actual convictions of drug criminals, especially those of the supply side of the illegal drug trade.

In view of the foregoing, I earnestly call for the immediate passing of this bill.



RICHARD L. GOMEZ, DPA

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
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House Bill No. 370

Introduced by Representative Richard I. Gomez, DPA

**AN ACT ESTABLISHING THE DANGEROUS DRUG COURTS, GRANTING THEM
EXCLUSIVE ORIGINAL JURISDICTION OVER DANGEROUS DRUGS OFFENSES
AS CITED IN REPUBLIC ACT NO. 9165, OR THE "COMPREHENSIVE DANGEROUS
DRUGS ACT OF 2002," AND APPROPRIATING FUNDS THEREFOR AND FOR
OTHER PURPOSES**

*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 "*Dangerous Drug Courts Act.*"

SEC. 2. *Statement of National Policies.* - The State shall ensure security, public order, health and safety of citizens in keeping with the mandate of the Constitution. The State shall provide a system of adjudication for dangerous drugs offenders, which shall deliver swift judicial action and decision of dangerous drugs cases.

SEC. 3. *Establishment of Dangerous Drug Courts.* - There shall be established a Dangerous Drug Court in every province and city in the country. In cases where the city is the capital of the province, the Dangerous Drug Court shall be established in the municipality which has the highest population.

SEC. 4. *Qualification and Training of Dangerous Drug Courts Judges.* - Sec. 15 of Batas Pambansa Blg. 129, as amended, is hereby further amended to read as follows:

"Sec. 15. a) Qualification. - No person shall be appointed Regional Trial Judge or Presiding Judge of the Family Court **OR PRESIDING JUDGE OF THE DANGEROUS DRUGS COURT** unless he or she is a natural-born citizen of the Philippines, at least thirty-five (35) years of age, and, for at least ten (10) years, has been engaged in the practice of law in the Philippines or has held a public office in the Philippines requiring admission to the practice of law as indispensable requisite.

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"C) TRAINING OF DANGEROUS COURT JUDGES. - THE PRESIDING JUDGE, AS WELL AS THE COURT PERSONNEL OF THE DANGEROUS DRUGS COURTS, SHALL UNDERGO TRAINING AND MUST HAVE THE EXPERIENCE AND DEMONSTRATED ABILITY IN DEALING WITH DANGEROUS DRUGS CASES.

"The Supreme Court shall provide a continuing education program on child and family laws, **DANGEROUS DRUGS LAWS**, procedure and other related disciplines to judges and personnel of such courts."

SEC. 5. *Jurisdiction of Dangerous Drug Courts.* - The Dangerous Drug Courts shall have exclusive original jurisdiction to hear and decide cases, involving unlawful acts, as cited in Article II of Republic Act No. 9165, or the "Comprehensive Dangerous Drugs Act of 2002."

SEC. 6. *Use of Income.* - All Dangerous Drug Courts shall be allowed the use of ten per cent (10%) of their income derived from filing and other court fees under Rule 141 of the Rules of Court, for research and other operating expenses including capital outlay: Provided, That this benefit shall likewise be enjoyed by all courts of justice.

The Supreme Court shall promulgate the necessary guidelines to effectively implement the provisions of this Sec.

SEC. 7. *Appeals.* - Decisions and orders of the court shall be appealed in the same manner and subject to the same conditions as appeals from the ordinary Regional Trial Courts.

SEC. 8. *Appropriations.* - The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

SEC. 9. *Implementing Rules and Regulations.* - The Supreme Court, in coordination with the Dangerous Drugs Board (DDB), and Philippine Drug Enforcement Agency (PDEA) shall formulate the necessary rules and regulations for the effective implementation of this Act.

SEC. 10. *Transitory Provisions.* - Pending the establishment of such Dangerous Drug Courts, the Supreme Court shall designate from among the branches of the Regional Trial Court at least one Dangerous Drug Courts in cities in closest proximity to barangays classified as “drug-affected” by the PDEA, and in such other locations as the Supreme Court may deem necessary.

The Supreme Court shall promulgate rules of procedure for the transfer of cases to the new courts during the transition period. In areas where there are no Dangerous Drug Courts, the cases referred to in Sec. 5 of this Act shall be adjudicated by the Regional Trial Court.

SEC. 11. *Separability Clause.* - In case any provision of this Act is declared unconstitutional, the other provisions shall remain in effect.

SEC. 12. *Repealing Clause.* - All other laws, decrees, executive orders, rules or regulations inconsistent herewith are hereby repealed, amended or modified accordingly.

SEC. 13. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,