



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

Twentieth Congress
First Regular Session

HOUSE BILL NO. **2091**



Introduced by Representative Antonio “TonyPET” T. Albano

EXPLANATORY NOTE

Republic Act No. 319 was enacted in 1960 with the laudable intent of breathing life into the time-honored principle that a public office is a public trust. It penalized certain acts committed by public officers and private individuals in order to curb corrupt practices and graft in government.

This bill seeks to amend Section 13 of RA 3019 by providing an exception to the imposition of preventive suspension public officers. Said exception shall be applicable to public officers who are no longer connected with the office wherein the offense charged was committed. As preventive suspension is imposed 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.

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


ANTONIO “TONYPET” T. ALBANO



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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 the House of Representatives of the Philippines in Congress assembled:

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

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

1 **CHARGED WAS COMMITTED, THE PREVENTIVE**
2 **SUSPENSION ORDER SHALL NO LONGER BE**
3 **IMPLEMENTED.**

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

11 In the event that such convicted officer, who may have
12 already been separated from the service, has already received
13 such benefits, he shall be liable to retribute the same to the
14 government.”

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

Approved,