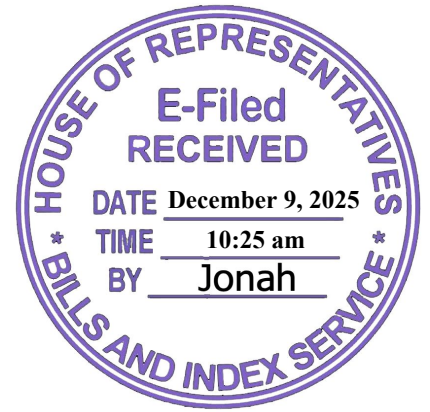


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
TWENTIETH CONGRESS
First Regular Session



HOUSE BILL NO. 6693

Introduced by **REP. BERNADETTE "DETTE" G. ESCUDERO**

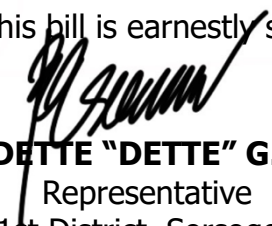
**AN ACT
AMENDING SECTION 2 OF ACT NO. 4103, AS AMENDED, OTHERWISE
KNOWN AS THE "INDETERMINATE SENTENCE LAW"**

EXPLANATORY NOTE

This bill seeks to amend Act No. 4103, otherwise known as the Indeterminate Sentence Law, by expressly including criminal offenses committed against minors in the enumeration of crimes to which the benefits of the law shall not apply. This amendment recognizes the gravity and uniquely damaging nature of offenses targeting children and ensures that perpetrators of such acts are held fully accountable. The Supreme Court has explained that the positivist theory of criminal law views criminal liability as arising from the broader social and economic conditions that shape human behavior. Under this theory, the State is tasked not only with protecting society from harmful acts but also with rehabilitating offenders so they may again become productive members of the community.¹ This philosophy underpins the Indeterminate Sentence Law, which aims to promote reform and reintegration. However, the law itself acknowledges that rehabilitation must yield to the demands of justice when crimes are particularly heinous, severe, or grave. Thus, certain offenses are already excluded from its application. The mere nature and seriousness of offenses (especially sexual offenses) against a minor justifies its inclusion in the enumeration.

This measure also serves as the counterpart measure filed in the House of Representatives, reinforcing the shared legislative intent to ensure that the law responds appropriately to the seriousness of these offenses.

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


HON. BERNADETTE "DETTE" G. ESCUDERO
Representative
1st District, Sorsogon

¹ People v. Ducosin, 59 Phil. 109 [1933]

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AN ACT
AMENDING SECTION 2 OF ACT NO. 4103, AS AMENDED, OTHERWISE
KNOWN AS THE "INDETERMINATE SENTENCE LAW"

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

1 **SECTION 1.** Section 2 of Act No. 4103, entitled "An Act to Provide for an
2 Indeterminate Sentence and Parole for All Persons Convicted of Certain Crimes by
3 the Courts of the Philippine Islands; to Create a Board of Indeterminate Sentence
4 and to Provide Funds Therefor; and for Other Purposes" is hereby amended to read
5 as follows:

6 "Sec. 2. This Act shall not apply to persons convicted of
7 offenses punished with death penalty or life-imprisonment; to those
8 convicted of treason, conspiracy or proposal to commit treason; to those
9 convicted of misprision of treason, rebellion, sedition or espionage; to
10 those convicted of piracy; **TO THOSE CONVICTED OF CRIMINAL**
11 **OFFENSES AGAINST A MINOR, WHICH IS COMPARABLE TO OR**
12 **EXCEEDS ANY OF THE FOLLOWING: KIDNAPPING OF A MINOR,**
13 **EXCEPT BY A PARENT; CRIMINAL SEXUAL CONDUCT TOWARD**
14 **A MINOR; SOLICITATION OF A MINOR TO ENGAGE IN SEXUAL**
15 **CONDUCT; USE OF A MINOR IN A SEXUAL PERFORMANCE;**
16 **SOLICITATION OF A MINOR TO PRACTICE PROSTITUTION;**
17 **ANY CONDUCT THAT BY ITS NATURE IS A SEXUAL OFFENSE**
18 **AGAINST A MINOR; PRODUCTION OR DISTRIBUTION OF**
19 **CHILD PORNOGRAPHY; CHILD-TRAFFICKING; AND USING**
20 **CHILDREN IN DRUG TRAFFICKING;** to those who are habitual
21 delinquents; to those who have escaped from confinement or evaded
22 sentence; to those who having been granted conditional pardon by the
23 Chief Executive shall have violated the terms thereof; to those whose
24 maximum term of imprisonment does not exceed one year, not to those
25 already sentenced by final judgment at the time of approval of this Act,
26 except as provided in Section 5 hereof."

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5 **SEC. 2. Repealing Clause.** Section 4 of Republic Act No. 10533, or the
6 "Enhanced Basic Education Act of 2013", is hereby amended to remove the
7 compulsory requirement for Senior High School in basic education. All other laws,
8 orders, and rules and regulations contrary to, or inconsistent with the provisions of
9 this Act are hereby repealed or amended accordingly.

10
11 **SEC. 3. Effectivity.** this Act shall take effect fifteen (15) days after its
12 publication in the Official Gazette or in a newspaper of general circulation.

13
14 *Approved;*