

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8863



Introduced by: Hon. Keith Micah "Atty. Mike" D.L. Tan and Hon. Iris Marie D. Montes

AN ACT
AMENDING ARTICLE 336 OF ACT NO. 3815, OTHERWISE KNOWN AS THE REVISED
PENAL CODE, AS AMENDED, INCREASING THE PENALTIES FOR ACTS OF
LASCIVIOUSNESS

EXPLANATORY NOTE

In a recent *en banc* decision, the Supreme Court highlighted a disturbing deficiency in our existing penal laws concerning the protection of minors against sexual abuse. The Court¹ noted a significant discrepancy between the penalties provided under Republic Act No. 7610 (Special Protection of Children Against Abuse, Exploitation and Discrimination Act) and Article 336 of the Revised Penal Code (Acts of Lasciviousness).

Currently, lascivious conduct committed through "pressure, manipulation, or abuse of authority" under RA 7610 is punishable by *reclusion temporal* in its medium period (12 years and 1 day to 17 years and 4 months). However, when the same act is committed through "force or intimidation," it is prosecuted under Article 336 of the Revised Penal Code, which carries the significantly lighter penalty of *prision correccional* (6 months and 1 day to 6 years).

This legal landscape creates an absurd situation where a more violent or "bestial" act, specifically those involving force, is meted a lighter sentence than an act involving mere manipulation. The Supreme Court explicitly stated that the "modification or enhancement of the prescribed penalties lies within the exclusive province of the legislature."²

This Bill seeks to rectify this inequity by amending Article 336 of the Revised Penal Code to increase the penalty when the victim is a minor, thereby aligning it with the protective spirit of RA 7610 and RA 11648.

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


KEITH MICAH "ATTY. MIKE" D.L. TAN
4th District, Quezon


IRIS MARIE D. MONTES
Kababaihan Kabalikatan para sa
Kapakanan at Kaunlaran ng Bayan (4K) Party-list

¹ Supreme Court of the Philippines. SC Issues Guidelines on Proper Prosecution of Lascivious Conduct Cases under the Child Abuse Law and Revised Penal Code (2026, April 6). *Gramatica v. People* (G.R. Nos. 260233 & 266039). <https://sc.judiciary.gov.ph/wp-content/uploads/2026/04/20260406-Gramatica-v.-People.pdf>

² ABS-CBN News. (2026, April 6). *Supreme Court calls on Congress to revise laws on acts of lasciviousness*. <https://www.abs-cbn.com/news/nation/2026/4/6/supreme-court-calls-on-congress-to-revise-laws-on-acts-of-lasciviousness-1735>

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OF LASCIVIOUSNESS

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

SECTION 1. Article 336 of Act No. 3815, as amended, is hereby further amended to read as follows:

"ART. 336. Acts of Lasciviousness. – Any person who shall commit any act of lasciviousness upon other persons of either sex, under any of the circumstances mentioned in the preceding article, shall be punished by *prision correccional*. PROVIDED, THAT IF THE VICTIM IS A MINOR AS DEFINED UNDER REPUBLIC ACT NO. 7610, AS AMENDED BY REPUBLIC ACT NO. 11648, THE PENALTY SHALL BE *RECLUSION TEMPORAL* IN ITS MEDIUM PERIOD, REGARDLESS OF WHETHER THE ACT WAS COMMITTED WITH FORCE, INTIMIDATION, OR THROUGH CIRCUMSTANCES WHERE THE VICTIM IS DEPRIVED OF REASON OR OTHERWISE SUBJECTED TO GRAVE ABUSE OF AUTHORITY."

SEC. 2. *Repealing Clause.* – All laws, ordinances, rules, regulations, other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

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

Approved,