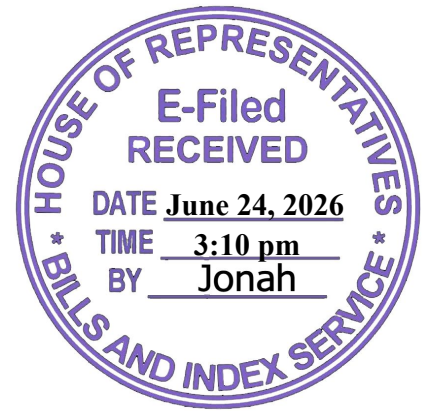


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. **9938**



Introduced by Representative Richard I. Gomez, DPA

EXPLANATORY NOTE

At 9:20 in the morning of June 22, 2026, gunshots reverberated across San Jose National High School, a campus of over 1,600 students and 110 teachers in Tacloban City, Province of Leyte. The shooting rampage left three (3) students, two (2) female and one (1) male, dead and 20 others injured from direct gunshot wounds. This incident unfolded to be one of the deadliest school-related attacks in the history of the Philippines.

What was most alarming was that the two (2) suspect shooters were minors aged fourteen (14) and fifteen (15). One of the shooters was armed with a Glock 9-millimeter pistol with two magazines of ammunition, while the other shooter brought a 38-caliber revolver, with five (5) live bullets still in the firearm. One of the shooters reportedly used the firearm of a relative who was a member of the police force.

Further aggravating the public's concerns were reports that the shooters had allegedly meticulously planned the attack. Eastern Visayas Police Chief Brig. Gen. Jason Capoy revealed that the suspects began plotting as early as April or May. Furthermore, investigators noted that the 14-year old suspect was heavily exposed to GoreBox, a graphically violent mobile sandbox game. Moreover, the suspects were also aware that the existing law exempts them from criminal liability because of their age.

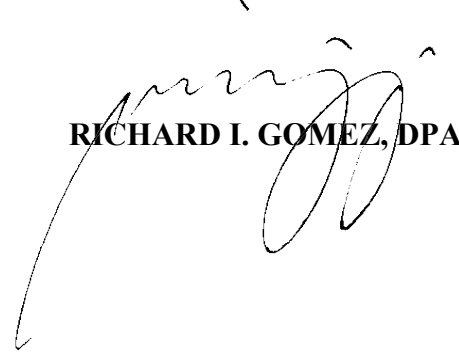
When Republic Act No. 9344 was enacted in 2006, and even under its amending law, Republic Act No. 10630 in 2013, the world that our youth was exposed to was very different. The internet then was largely accessible only to corporate, industrial or government activities. Now it is ubiquitous across ages, themes, activities, social, economic and demographic groups. This

evolving landscape has altered the youth's awareness when it comes violence, its legal consequences, as well as the tactical and technical mechanics in the use of firearms.

While the motive allegedly arose from cases of bullying, which is also seriously concerning, our laws have to draw the line on what constitutes a crime, especially when it involves murder, and identify who would be considered a person with sufficient criminal discernment and autonomy. Accordingly, this bill seeks to lower the age of criminal liability to ten (10) years old.

Moreover, with the reduction in the minimum of age of criminal liability, this bill proposes to impose liability and penalties to parents, guardians or other influential adults who through neglect or active influence, have facilitated, motivated, or aggravated the child's criminal actions.

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



RICHARD I. GOMEZ, DPA

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AN ACT
AMENDING REPUBLIC ACT NO. 9344 ALSO KNOWN AS THE "JUVENILE
JUSTICE AND WELFARE ACT OF 2006," AS AMENDED BY REPUBLIC ACT NO.
10630, REDUCING THE MINIMUM AGE OF CRIMINAL LIABILITY TO TEN (10)
YEARS OLD AND IMPOSING OTHER PENALTIES

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

SECTION 1. *Amendment of Section 6.* - Section 6 of Republic Act No. 9344, otherwise known as the Juvenile Justice and Welfare Act of 2006, as amended by Republic Act No. 10630 is hereby further amended to read as follows:

"SEC. 6. *Minimum Age of Criminal Responsibility.* - A child **BELOW TEN** ~~fifteen~~ **(10)** ~~(15)~~ years of age ~~or under~~ at the time of the commission of the offense shall be exempt from criminal liability. However, the child shall be subjected to an intervention program pursuant to Section 20 of this Act.

A child is deemed to be **TEN** ~~fifteen~~ **(10)** ~~(15)~~ years of age on the day of the **TENTH** ~~fifteenth~~ anniversary of his/her birthdate.

~~A child above fifteen (15) years but below eighteen (18) years of age shall likewise be exempt from criminal liability and be subjected to an intervention program, unless~~

~~he/she has acted with discernment, in which case, such child shall be subjected to the appropriate proceedings in accordance with this Act.~~

The exemption from criminal liability herein established does not include exemption from civil liability, which shall be enforced in accordance with existing laws.

SEC. 2. *Amendment of Section 20.* - Section 20 of the same Act is hereby further amended to read as follows:

"SEC. 20. *Children Below the Age of Criminal Responsibility.* - If it has been determined that the child taken into custody is **BELOW TEN** ~~fifteen (15)~~ **(10)** years old ~~or below~~, the authority which will have an initial contact with the child, in consultation with the local social welfare and development officer, has the duty to immediately release the child to the custody of his/her parents or guardian, or in the absence thereof, the child's nearest relative. The child shall be subjected to a community-based intervention program supervised by the local social welfare and development officer, unless the best interest of the child requires the referral of the child to a youth care facility or 'Bahay Pag-asa' managed by LGUs or licensed and/or accredited NGOs monitored by the DSWD.

"The local social welfare and development officer shall determine the appropriate programs for the child who has been released, in consultation with the child and the person having custody over the child. If the parents, guardians or nearest relatives cannot be located, or if they refuse to take custody, the child may be released to any of the following:

- "(a) A duly registered nongovernmental or religious organization;
- "(b) A barangay official or a member of the Barangay Council for the Protection of Children (BCPC);
- "(c) A local social welfare and development officer; or, when and where appropriate, the DSWD.

“If the child has been found by the local social welfare and development officer to be dependent, abandoned, neglected or abused by his/her parents and the best interest of the child requires that he/she be placed in a youth care facility or ‘Bahay Pag-asa’, the child’s parents or guardians shall execute a written authorization for the voluntary commitment of the child: *Provided, That* if the child has no parents or guardians or if they refuse or fail to execute the written authorization for voluntary commitment, the proper petition for involuntary commitment shall be immediately filed by the DSWD or the Local Social Welfare and Development Office (LSWDO) pursuant to Presidential Decree No. 603, as amended, otherwise known as ‘The Child and Youth Welfare Code’ and the Supreme Court rule on commitment of children: *Provided, further, That* the minimum age for children committed to a youth care facility or ‘Bahay Pag-asa’ shall be twelve (12) years old.”

SEC. 3. *Amendment of Section 20-A.* - Section 20-A of the same Act is hereby further amended to read as follows:

“SEC. 20-A. *Serious Crimes Committed by Children Who Are Exempt From Criminal Responsibility.* – A child who is ~~BELOW~~ ~~above~~ **TEN (10 12)** years of age ~~up to fifteen (15) years of age~~ and who commits parricide, murder, infanticide, kidnapping and serious illegal detention where the victim is killed or raped, robbery, with homicide or rape, destructive arson, rape, or carnapping where the driver or occupant is killed or raped or offenses under Republic Act No. 9165 (Comprehensive Dangerous Drugs Act of 2002) punishable by more than twelve (12) years of imprisonment, shall be deemed a neglected child under Presidential Decree No. 603, as amended, and shall be mandatorily placed in a special facility within the youth care faculty or ‘Bahay Pag-asa’ called the Intensive Juvenile Intervention and Support Center (IJISC).

“In accordance with existing laws, rules, procedures and guidelines, the proper petition for involuntary commitment and placement under the IJISC shall be filed by the local social welfare and development officer of the LGU where the offense was committed,

or by the DSWD social worker in the local social welfare and development officer's absence, within twenty-four (24) hours from the time of the receipt of a report on the alleged commission of said child. The court, where the petition for involuntary commitment has been filed shall decide on the petition within seventy-two (72) hours from the time the said petition has been filed by the DSWD/LSWDO. The court will determine the initial period of placement of the child within the IJISC which shall not be less than one (1) year. The multi-disciplinary team of the IJISC will submit to the court a case study and progress report, to include a psychiatric evaluation report and recommend the reintegration of the child to his/her family or the extension of the placement under the IJISC. The multi-disciplinary team will also submit a report to the court on the services extended to the parents and family of the child and the compliance of the parents in the intervention program. The court will decide whether the child has successfully completed the center-based intervention program and is already prepared to be reintegrated with his/her family or if there is a need for the continuation of the center-based rehabilitation of the child. The court will determine the next period of assessment or hearing on the commitment of the child."

SEC. 3. Amendment of Section 20-B. - Section 20-B of the same Act is hereby further amended to read as follows:

"**SEC. 20-B. Repetition of Offenses.** – A child who is **BELOW TEN (10)** ~~above twelve (12)~~ years of age ~~up to fifteen (15) years of age~~ and who commits an offense for the second time or oftener: *Provided*, That the child was previously subjected to a community-based intervention program, shall be deemed a neglected child under Presidential Decree No. 603, as amended, and shall undergo an intensive intervention program supervised by the local social welfare and development officer: *Provided, further*, That, if the best interest of the child requires that he/she be placed in a youth care facility or 'Bahay Pag-asa', the child's parents or guardians shall execute a written authorization for the voluntary commitment of the child: *Provided, finally*, That if the child has no parents or guardians or if they refuse or fail to execute the written authorization for voluntary commitment, the

proper petition for involuntary commitment shall be immediately filed by the DSWD or the LSWDO pursuant to Presidential Decree No. 603, as amended."

SEC. 4. *Insertion of Section 20-F.* - A new subsection is hereby inserted into Section 20 of the said Act that will read as follows:

"SEC. 20-F. *Liability and Penalties of Parents and/or Influential Guardians of Children Found Guilty of Serious Crimes.* – Parents, as defined in this Act, or guardians or other influential adults, of children aged ten years old and above found guilty of serious crimes, namely: parricide, murder, infanticide, kidnapping and serious illegal detention where the victim is killed or raped, robbery, with homicide or rape, destructive arson, rape, or carnapping where the driver or occupant is killed or raped or of offenses under Republic Act No. 9165 (Comprehensive Dangerous Drugs Act of 2002) punishable by more than twelve (12) years of imprisonment, shall be punished by a fine of ten million pesos (P10,000,000.00) each and / or *prisión mayor* or imprisonment of 6 years and 1 day to 12 years, at the discretion of the court."

SEC. 5. *Separability Clause.* – If any provision of this Act be declared invalid or unconstitutional, the remaining parts or provisions not otherwise affected shall remain in force.

SEC. 6. *Repealing Clause.* – All laws, executive orders, or administrative rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 7. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation.

Approved,