

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

TWENTIETH CONGRESS
Second Regular Session



HOUSE BILL NO. 10847

Introduced by **REP. JAVIER MIGUEL L. BENITEZ**

EXPLANATORY NOTE

Our schools should be the safest rooms in the Republic. In the span of fifty-seven days, two of them became crime scenes. On June 22, 2026, two students aged fourteen and fifteen opened fire inside San Jose National High School in Tacloban City, killing three of their classmates and wounding twenty. On August 18, 2026, a Grade 9 student walked into the Ateneo de Zamboanga University junior high school with a pistol and a rifle, killed a schoolmate, and then took his own life. In both tragedies, the guns came from the adult world around the children. In Tacloban, one weapon was the service pistol of a police officer, and the other a revolver registered to a security agency, and the strongest charge the State could bring against the firearm keeper was malversation. When a child dies, and the law can speak only of property, the law is insufficient.

The numbers confirm what the tragedies revealed. The Philippine National Police estimates that around 1.7 million loose firearms circulate against about 4.12 million registered firearms, that more than 700,000 registrations have lapsed, and that almost all gun crimes are committed with loose firearms. Since 1980, the government has declared at least thirteen firearms amnesties. All of them failed, because each offered forgiveness without finality and without the consequence that must follow.

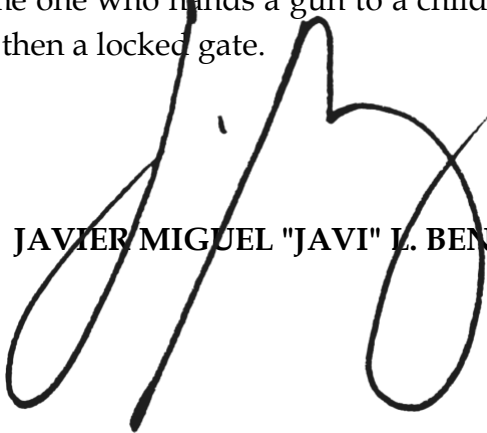
This bill does what those amnesties did not. First, it grants one final, non-extendible amnesty of one hundred twenty days, with penalties and surcharges waived, fees reduced, registration brought by mobile teams to rural and island communities, and every firearm test-fired and screened against crime gun databases so that no weapon used against our people is ever laundered into legality. Second, it ends the rule that lets an offender who uses an unlicensed gun escape a separate charge for the gun itself: unlawful possession of a loose firearm becomes a separate and distinct offense. Third, it reserves the gravest, non-bailable penalty for the gravest conduct: using a loose firearm in a crime, trafficking in firearms, bringing a firearm into a school, and arming a minor. Fourth, it makes safe storage a legal duty, holds adults to account when their negligence places a gun in the hands of a child, and brings privately made and 3D-printed firearms under the law.

The Constitution permits a non-bailable offense only where the penalty reaches reclusion perpetua, and it forbids cruel and disproportionate punishment. This

measure honors both commands. The farmer with an inherited shotgun is given a door to legality. The trafficker, the smuggler, and the one who hands a gun to a child meet the full weight of the law. One last open door, then a locked gate.

The approval of this bill is earnestly sought.

JAVIER MIGUEL "JAVI" L. BENITEZ

A large, stylized handwritten signature in black ink, consisting of a series of loops and a long vertical stroke, positioned over the printed name.

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Introduced by REP. JAVIER MIGUEL L. BENITEZ

AN ACT GRANTING A FINAL FIREARMS AMNESTY, STRENGTHENING ACCOUNTABILITY FOR LOOSE FIREARMS, PROSECUTING THE UNLAWFUL POSSESSION OF A LOOSE FIREARM AS A SEPARATE AND DISTINCT OFFENSE, ESTABLISHING GUN-FREE SCHOOL ZONES, IMPOSING SAFE STORAGE AND ADULT LIABILITY DUTIES, REGULATING PRIVATELY MADE AND UNTRACEABLE FIREARMS, AMENDING FOR THESE PURPOSES REPUBLIC ACT NO. 10591, OTHERWISE KNOWN AS THE "COMPREHENSIVE FIREARMS AND AMMUNITION REGULATION ACT," AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* – This Act shall be known as the "*Final Firearms Amnesty and Loose Firearms Accountability Act of 2026.*"

SEC. 2. *Declaration of Policy.* – The State affirms the right of qualified citizens to own and possess firearms for lawful purposes, and the duty of every firearm holder to keep those firearms within the reach of the law. The State likewise declares that schools shall remain safe spaces for learning. To these ends, the State grants a single, final, and non-extendible amnesty for the registration of unregistered and loose firearms, prosecutes the unlawful possession of a loose firearm as a distinct wrong, imposes the gravest penalties on those who use, traffic, or place firearms where they cause the most harm, and observes at all times the constitutional guarantees of proportionate punishment, equal protection, and the right to bail.

SEC. 3. *Definitions.* – Section 3 of Republic Act No. 10591 is hereby amended by adding the following new paragraphs:

"(hh) Gun-free school zone refers to the premises of any public or private school offering pre-elementary, elementary, secondary, or technical-vocational education, or tertiary education, including its grounds and buildings, and the area within fifty (50) meters from the outermost perimeter of the school grounds, excluding private residences located within that area;

"(ii) Privately made firearm refers to a firearm, including one produced through three-dimensional printing or assembled from an unfinished frame or receiver, manufactured or assembled without the serialization, licensing, and registration required under this Act, and lacking a unique serial number recorded with the Firearms and Explosives Office of the Philippine National Police; and

"(jj) Firearm trafficking refers to the illegal importation, exportation, acquisition, sale, delivery, movement, or transfer of firearms, their major parts, or ammunition, or the facilitation of any of these acts."

SEC. 4. *Final Firearms Amnesty; Grant and Duration.* - A Final Firearms Amnesty is hereby granted for a single, non-extendible period of one hundred twenty (120) days from the effectivity of the implementing rules and regulations of this Act. During this period, any person in possession of an unregistered firearm, or holding an expired or unrenewed license or registration, may register or renew the same free from criminal liability for unlawful possession under Republic Act No. 10591, as amended, and free from any delinquency fee, surcharge, or penalty otherwise due.

SEC. 5. *Amnesty Fees.* - All delinquency fees, surcharges, and penalties are waived during the amnesty period. Registration and licensing fees during the period shall be set at reduced rates by the Chief of the Philippine National Police, and shall be waived for indigent applicants upon proof of indigency.

SEC. 6. *Ballistic Screening.* - No firearm shall be registered under the amnesty until it has undergone test-firing and ballistic examination by the Philippine National Police and has been cleared against the national databases of crime guns, stolen firearms, and government-issued firearms. A firearm that matches any such record shall be denied amnesty and shall be dealt with under applicable laws.

SEC. 7. *Exclusions.* - The amnesty shall not extend to: (a) firearms used in the commission of a crime; (b) stolen firearms; (c) firearms issued to or owned by the Government, including those of the Armed Forces of the Philippines, the Philippine National Police, and other agencies; (d) firearms in the possession of persons disqualified under Republic Act No. 10591, as amended; and (e) firearms which the law prohibits from private ownership, which shall instead be surrendered for safekeeping or disposition.

SEC. 8. *One-Stop Centers and Mobile Registration.* - The Philippine National Police shall establish one-stop processing centers in every provincial capital and highly urbanized city, and shall deploy mobile registration teams to rural, island, upland, and agricultural communities, so that no applicant is denied the amnesty by reason of distance or cost.

SEC. 9. *Heirloom and Customary Weapons.* - The implementing rules and regulations shall provide a simplified and affordable procedure for the registration or lawful retention of heirloom firearms and of weapons of cultural, customary, or indigenous significance, consistent with public safety and with Republic Act No. 8371.

SEC. 10. *Information Campaign.* – The Philippine National Police, the Department of the Interior and Local Government, and the Presidential Communications Office shall conduct an intensive nationwide information campaign in Filipino, English, and the principal regional languages throughout the amnesty period.

SEC. 11. *Post-Amnesty Report; Intensified Enforcement.* – Within sixty (60) days from the close of the amnesty period, the Philippine National Police shall report to both Houses of Congress the number of firearms registered, renewed, surrendered, screened, and denied, and the compliance rate by region. Upon the close of the amnesty period, the Philippine National Police shall intensify enforcement against all remaining loose firearms. No further amnesty shall thereafter be granted.

SEC. 12. *Unlawful Possession as a Separate and Distinct Offense.* – Section 29 of Republic Act No. 10591 is hereby amended to read as follows:

"SEC. 29. Unlawful Possession and Use of a Loose Firearm in the Commission of a Crime. The unlawful possession of a loose firearm is a separate and distinct offense from any other crime committed by the possessor. Where a person unlawfully possesses a loose firearm and commits any crime punishable under the Revised Penal Code or special laws, the person shall be prosecuted and, upon conviction, penalized separately for the unlawful possession under Section 28 of this Act and for the other crime committed. The rule that unlawful possession is absorbed by the other crime, or is reduced to a mere aggravating circumstance, is hereby abolished.

"When a loose firearm is used in the commission of any crime, such use shall further be appreciated as a special aggravating circumstance in that crime, and shall not be offset by any mitigating circumstance.

"If the violation of this Act is in furtherance of, or incident to, or in connection with the crime of rebellion, insurrection, or attempted coup d'etat, such violation shall be absorbed as an element of the said crime."

SEC. 13. *Qualified Circumstances; Non-Bailable Offenses.* – Section 28 of Republic Act No. 10591 is hereby amended by adding the following paragraphs:

"Notwithstanding the preceding paragraphs, the penalty of reclusion perpetua shall be imposed, and the offense shall be non-bailable when evidence of guilt is strong, in any of the following qualified circumstances:

"(1) When a loose firearm is used in the commission of a crime resulting in death or serious physical injuries, or of any crime punishable by reclusion temporal or a higher penalty;

"(2) When the offense constitutes firearm trafficking as defined in this Act;

"(3) When a loose firearm is carried, possessed, or discharged within a gun-free school zone; and

"(4) When a firearm, its major part, or ammunition is delivered, sold, or otherwise made available to a minor, to a person known to be disqualified under Section 4 of this Act, or to a person with a pending criminal case for an offense punishable by imprisonment of more than six (6) years.

"Unlawful acquisition or possession not falling under any qualified circumstance shall remain bailable and shall be penalized in accordance with the graduated schedule of this Section."

SEC. 14. *Gun-Free School Zones.* – No person shall carry, possess, or discharge a firearm within a gun-free school zone, except a law enforcement officer in the actual performance of official duty, a school security guard acting under a duly approved duty detail order, or a person transporting a licensed and unloaded firearm in a locked container through the zone without stopping within it. Violation of this Section shall be punished by reclusion perpetua where the firearm is a loose firearm, and by prision mayor in its maximum period where the firearm is licensed. Schools shall post visible notices designating their premises and perimeter as gun-free school zones.

SEC. 15. *Safe Storage; Adult Liability.* – Every person who owns or lawfully possesses a firearm shall store it, when not carried or in use, unloaded and secured in a locked container or vault or with a tamper-resistant locking device, separate from its ammunition, and beyond the access of any minor or unauthorized person. An owner or possessor whose negligence in storage allows a minor or unauthorized person to gain access to a firearm shall be punished by prision correccional where no crime is committed with the firearm; by prision mayor where the firearm is used to inflict physical injuries; and by reclusion temporal where the firearm is used to cause death. This liability is without prejudice to civil liability and to any greater liability under other laws.

SEC. 16. *Privately Made and Untraceable Firearms.* – The unlawful manufacture, assembly, acquisition, possession, sale, or transfer of a privately made firearm, of an unfinished frame or receiver intended for that purpose, or of digital files primarily designed to enable the three-dimensional printing of a firearm or its major part, shall be punished by reclusion temporal to reclusion perpetua. The Firearms and Explosives Office shall issue rules requiring the serialization and registration of all frames, receivers, and privately made firearms.

SEC. 17. *Election Gun Ban.* – Nothing in this Act shall diminish the authority of the Commission on Elections to regulate the bearing, carrying, or transporting of firearms during the election period.

SEC. 18. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity of this Act, the Department of the Interior and Local Government, through the Philippine National Police, and in consultation with the Department of Education, the Commission on Higher Education, the Technical Education and Skills Development Authority, the National Commission on Indigenous Peoples, and recognized organizations of responsible firearm owners, dealers, and sport shooters, shall promulgate the implementing rules and regulations of this Act.

SEC. 19. *Appropriations.* – The amounts necessary for the initial implementation of this Act, including the one-stop centers, mobile registration teams, ballistic screening, and the information campaign, shall be charged against the current appropriations of the Philippine National Police. Thereafter, the amounts necessary for its continued implementation shall be included in the annual General Appropriations Act.

SEC. 20. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the remaining provisions not affected shall remain in full force and effect.

SEC. 21. *Repealing Clause.* – Republic Act No. 8294 and the remaining provisions of Presidential Decree No. 1866, as amended, insofar as they are inconsistent with this Act, and all other laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with this Act, are hereby repealed or modified accordingly.

SEC. 22. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,