



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



TWENTIETH CONGRESS
Second Regular Session

House Bill No. **11388**

Introduced by Representative **ANTONINO B. ROMAN III**

EXPLANATORY NOTE

Republic Act No. 10591, the Comprehensive Firearms and Ammunition Regulation Act, governs who may own a firearm in this country. It says almost nothing about what an owner must do with that firearm for the remaining hours of the day. Section 9 of the Act disposes of the entire question of safekeeping in a single sentence: that “a vault or a container secured by lock and key or other security measures” is an acceptable requirement. It fixes no standard for that container, imposes no continuing duty of custody, and attaches no consequence whatsoever to an owner or an accountable custodian whose carelessness places a deadly weapon within the reach of a child, a person in crisis, or a criminal. A locked drawer and a bank-grade safe are, under present law, legally indistinguishable.

That silence has a body count.

On June 22, 2026, two minors aged fifteen and fourteen opened fire at San Jose National High School in Tacloban City, killing three students and injuring twenty others, fifteen of them by gunfire. The weapons were a Glock 17 pistol that was the service firearm of a Philippine National Police officer related to one of the assailants, and a .38-caliber revolver registered to a private security agency in Cebu City but kept in the home of a former security guard.

On August 18, 2026, a minor killed two students and wounded nine others at the Ateneo de Zamboanga University Junior High School, livestreaming the attack; the firearm was issued by the Bureau of Customs to his father. Between these events, authorities intercepted a fourteen-year-old at Lut-od National High School in Pinamungajan, Cebu, carrying a revolver said to belong to his grandfather.

On September 18, 2026, a Grade 9 student opened fire at Banga National High School in South Cotabato, killing and wounding fellow students before taking his own life.

These four incidents share a pattern that this Congress should find intolerable. In no case was the firearm a loose or black-market weapon. Every one of them was a firearm the State itself had licensed, registered, or issued — and in three of the four, the firearm had been placed in the custody of a public officer or a security professional. This is the gap the present measure closes, and it closes it at the point where the evidence says the failure actually occurs.

This measure addresses the narrower and more tractable problem to which the last four tragedies point: the licensed, registered, and government-issued firearm that was lawfully acquired and then left within reach of a child. That firearm is already in the State's records. Its custodian is already known. The only thing missing is a duty and a consequence.

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

A handwritten signature in black ink, appearing to read 'Antonino B. Roman III', with a stylized flourish at the end.

ANTONINO B. ROMAN III



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

TWENTIETH CONGRESS
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House Bill No. **11388**

Introduced by Representative **ANTONINO B. ROMAN III**

AN ACT

**MANDATING THE SAFE STORAGE AND SECURE CUSTODY OF FIREARMS
AND AMMUNITION, APPROPRIATING FUNDS THEREFOR, AMENDING
FOR THE PURPOSE REPUBLIC ACT NO. 10591, AS AMENDED, 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 "**Safe Firearm Storage
and Anti-Firearm Negligence Act**".

SEC. 2. Declaration of State Policy. — The State recognizes that the maintenance of peace and order, the protection of life, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy. Towards this end, the State affirms that firearm ownership is a highly regulated privilege that carries the strict and non-delegable duty to prevent deadly weapons from falling into the hands of children, unauthorized individuals, and persons in crisis. Through these synchronized inter-agency measures, the State seeks to shield the youth, preserve lives, and foster a culture of absolute responsibility and vigilance among all firearm owners

SEC. 3. Additional Definitions. — A new Section 3-A is hereby inserted after Section 3 of Republic Act No. 10591, to read as follows:

“SEC. 3-A. *Additional Definition of Terms.* — As used in this Act:

- (a) *Accountable custodian* refers to a natural person who, by law, regulation, duty detail order, written assignment, property accountability record, memorandum receipt, or other lawful custodial arrangement, is charged with keeping, controlling, issuing, returning, or securing a firearm or ammunition, whether or not the firearm is registered in that person’s name. In the case of a juridical entity, the term refers to the natural person or persons actually designated to exercise such custody, and to the officer who directed, approved, or knowingly tolerated the act or omission complained of.
- (b) *Ammunition* shall have the meaning given in Section 3 of this Act, and for purposes of Section 9-A includes loaded magazines and speed loaders.
- (c) *Authorized person* refers to a person who, with respect to the particular firearm and under the particular circumstances, holds a license, registration, permit, duty detail order, official assignment, written authority of the registered owner or accountable custodian consistent with this Act, or other lawful authority to possess or use it.
- (d) *Child* refers to a person below eighteen (18) years of age, or a person over that age who is unable to fully take care of or protect himself or herself from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition.
- (e) *Registered owner* refers to the natural or juridical person in whose name a firearm is registered under this Act.
- (f) *Unauthorized access* refers to the acquisition by an unauthorized person of actual physical possession of, or the ability to take, operate, or discharge, a firearm or ammunition.

- (g) *Unlicensed individual* refers to a person who holds no license, registration, or permit for the firearm concerned and no other lawful authority to possess it.”
- (h) *Secure storage device* refers to a container, cabinet, vault, safe, or other enclosure which: (1) is constructed of steel of not less than fourteen (14) gauge, or of a material offering equivalent or greater resistance to forced entry; (2) is secured by a key lock, combination lock, electronic lock, or biometric lock which cannot be opened without the corresponding key, combination, credential, or enrolled biometric; (3) has no opening, gap, or panel through which the contents may be removed while the device remains locked, and cannot be opened.
- (i) *Quick-access secure storage device* refers to a secure storage device designed to be opened rapidly by an authorized person by means of an enrolled biometric, an electronic keypad, or a mechanical push-button lock, and which otherwise meets every requirement of a secure storage device.

SEC. 4. Qualifications; Training, Screening, and Storage Capability. — Paragraphs (b) and (d) of Section 4 of Republic Act No. 10591 are hereby amended, and new paragraphs (h) and (i) are hereby added, to read as follows:

“SEC. 4. *Standards and Requisites for Issuance of and Obtaining a License to Own and Possess Firearms.* —

x x x

- (b) The applicant has passed the psychiatric ~~test~~ **or psychological evaluation** administered by a PNP-accredited psychologist or psychiatrist **duly licensed under Republic Act No. 10029 or Republic Act No. 2382, as applicable, which shall include a structured assessment of risk factors for violence, including history of violence, impulse and anger regulation, intimate partner and family violence, substance use, and suicide risk. The evaluation shall be conducted, recorded, and disclosed in accordance with Republic Act No. 11036 and Republic Act No. 10173. The prior or current receipt of mental health services, or the voluntary seeking of such services, shall not in itself constitute a ground for denial. An applicant who receives an**

adverse finding shall be furnished a written statement of its factual basis, may obtain a second evaluation at the applicant's option from another accredited professional, and may appeal to the Chief of the PNP and thereafter to the Secretary of the Interior and Local Government, without prejudice to judicial review;

x x x

- (d) ~~The applicant has passed a gun safety seminar which is administered by the PNP or a registered and authorized gun club;~~ The applicant has completed a firearm safety and safe-storage course administered by the PNP or by an accredited provider and has passed a written examination thereon. The course shall cover safe handling and range discipline; the selection, installation, and correct use of secure storage devices; the separate control of ammunition; the prevention of access by children and prohibited persons; storage during transport and in vehicles; the duty to report loss, theft, and unauthorized access; suicide prevention and crisis recognition; de-escalation; the lawful limits of self-defense; and the criminal, civil, and administrative consequences of non-compliance. The PNP shall ensure that the course is available in every province at reasonable cost and, for indigent applicants, without charge, and may provide the classroom component through distance learning;

x x x

(h) The applicant has certified under oath the address of the premises where each firearm will be stored and the type and certification of the secure storage device to be used, and has acknowledged in writing the duties imposed by Section 9-A and the penalties under Section 41-A; and

(i) The applicant is not a person against whom a Firearm Safety Protection Order under Section 40-A, or a protection order under Republic Act No. 9262 directing the surrender of or prohibiting access to firearms, is in force.

x x x''

SEC. 5. Storage Capability as a Condition of License. — The penultimate paragraph of Section 9 of Republic Act No. 10591 is hereby amended to read as follows:

“SEC. 9. Licenses Issued to Individuals. —

x x x

~~For Types 1 to 5 licenses, a vault or a container secured by lock and key or other security measures for the safekeeping of firearms shall be an acceptable safekeeping requirement.~~ **For Types 1 to 5 licenses, the licensee shall possess and use, for every registered firearm, a secure storage device as defined in Section 3-A and shall always comply with Section 9-A. For Types 2 to 5 licenses, the secure storage device shall in every case be anchored in the manner required by Section 3-A(l)(4) regardless of its weight. For Types 4 and 5 licenses, the licensee shall additionally maintain a storage room or vault dedicated to firearms, fitted with an intrusion alarm reporting to a monitored station or to the nearest police station, and shall maintain a written inventory reconciled at least semi-annually.**

For Types 3 to 5 licenses, the citizen must comply with the inspection and bond requirements **provided in Section 9-D.**

x x x”

SEC. 6. Safe Storage and Control of Firearms and Ammunition. — A new Section 9-A is hereby inserted after Section 9 of Republic Act No. 10591, to read as follows:

“SEC. 9-A. Safe Storage and Control of Firearms and Ammunition. — A registered owner or accountable custodian shall observe the following duties with respect to every firearm and ammunition in that person’s custody:

(a) General rule. Whenever a firearm is not under the immediate control of an authorized person, it shall be kept in a secure storage device, unloaded, and with its ammunition secured in a separately locked compartment or container. The secure storage device shall remain locked, and the key, combination, credential, or enrolled biometric shall remain under the exclusive control of authorized persons.

(b) Quick-access storage for immediate defense. By way of exception to paragraph (a), a registered owner or accountable custodian may keep one (1) firearm loaded within a quick-access secure storage device in the residence or place of business, for the purpose of defense of self, of

another, or of property: *Provided*, That where a child or a prohibited person resides in, is regularly present in, or has ordinary access to the premises, the quick-access secure storage device shall open only by enrolled biometric or by an individually assigned credential which is not known or accessible to, and cannot reasonably be discovered by, such child or prohibited person: *Provided, further*, That a credential shall be presumed accessible if it is written, stored, or recorded anywhere within the premises other than within another secure storage device, or if it consists of a date of birth, address, telephone number, or other information ordinarily known to members of the household.

(c) Premises with children or prohibited persons. Where a child or a prohibited person resides in, regularly visits, works in, or may reasonably be expected to gain access to the premises, the registered owner or accountable custodian shall, in addition to paragraphs (a) and (b): keep every other firearm unloaded and in a secure storage device anchored in the manner required by Section 3-A(1)(4); keep ammunition in a separate secure storage device or locked container; and ensure that no key, combination, credential, or enrolled biometric giving access to any firearm is held by, disclosed to, or left within the reach of such person.

(d) Vehicles. A firearm shall not be left in an unattended vehicle except when necessary and only for the shortest period reasonably required. When so left, it shall be unloaded, kept out of ordinary view, and secured in a locked container affixed to the structure of the vehicle or in a separately locked trunk or luggage compartment, with ammunition kept separately. A glove compartment, center console, or unsecured case does not satisfy this paragraph. A firearm shall not be left in an unattended vehicle overnight.

(e) Transport, repair, sporting use, training, and competition. During lawful transport, repair, sporting use, training, or competition, the firearm and ammunition shall remain either under the immediate control of an authorized person or within a locked container, and the license, registration, and any permit to transport or to carry required by this Act shall accompany the firearm.

(f) Temporary absence, incapacity, and travel. Where the registered owner or accountable custodian will be absent from the premises for more

than thirty (30) days, will be hospitalized or otherwise incapacitated, or will be deployed or will reside abroad, the firearm and ammunition shall be: kept in a secure storage device at the registered premises with no key, combination, credential, or enrolled biometric left accessible to any person other than an authorized person; deposited for safekeeping under Section 40-B; or lawfully transferred. The absence of the owner does not suspend the duties under this Section.

(g) Death or permanent incapacity. Upon the death or judicially declared incapacity of a registered owner, the executor, administrator, heir, or person in actual possession of the estate shall, within thirty (30) days from knowledge thereof, report the fact to the FEO-PNP and shall deposit the firearm for safekeeping under Section 40-B, surrender it, or arrange its lawful transfer to a qualified licensee. Pending such action, the person in actual possession shall comply with paragraph (a). No criminal liability shall attach under this paragraph to a person who is unaware of the existence of the firearm.

(h) Disaster and evacuation. The FEO-PNP shall, in the rules, provide a procedure for the expedited deposit for safekeeping of firearms during a declared state of calamity, evacuation, or armed conflict, and no liability shall attach for non-compliance with this Section where compliance was rendered impossible by such an event and the owner or custodian reported the circumstance at the earliest opportunity.

(i) Juridical entities, government offices, and security service providers. A juridical entity, government office, or private security service provider shall, in addition to the foregoing, comply with Section 41-B or Section 41-C, as the case may be.

(j) Prohibition on disclosure. No registered owner, accountable custodian, public officer, inspector, or other person shall disclose to any unauthorized person the location, type, or means of opening of a secure storage device, except as required in a judicial or administrative proceeding or as authorized by this Act.

(k) Safe harbor. Compliance with the applicable paragraphs of this Section shall constitute a complete defense to any charge under Section 41-A and to any administrative proceeding grounded on negligent storage.”

SEC. 7. Reporting of Loss, Theft, or Unauthorized Access. — A new Section 9-B is hereby inserted after Section 9-A of Republic Act No. 10591, to read as follows:

“SEC. 9-B. Duty to Report Loss, Theft, or Unauthorized Access. — A registered owner or accountable custodian shall report to the FEO-PNP and to the police station having jurisdiction over the place of loss, in person, by telephone, or through the electronic platform established under Section 42-A:

- (a) the loss or theft of a firearm, ammunition, or major part thereof, within forty-eight (48) hours from discovery;
- (b) any unauthorized access to a firearm or ammunition of which the owner or custodian becomes aware, within forty-eight (48) hours from discovery, whether the firearm was removed from the premises; and
- (c) in the case of a government firearm or a firearm issued by a private security service provider, within twenty-four (24) hours from discovery, and additionally to the head of the agency or to the licensed operator.

The report shall state the make, model, caliber, and serial number of the firearm, the circumstances and place of the loss, theft, or access, the storage arrangements then in force, and the identity of the unauthorized person if known. The FEO-PNP shall issue a written acknowledgment bearing the date and time of receipt and shall record the firearm in the national database as lost or stolen within twenty-four (24) hours.

The filing of a timely report under this Section shall not, of itself, excuse a failure to comply with Section 9-A, but shall be considered in mitigation. A report made after the unauthorized person has already obtained possession shall not defeat the presumption under Section 41-A.”

SEC. 8. Duties of Dealers, Manufacturers, Importers, Gun Clubs, and Shooting Ranges. — A new Section 9-C is hereby inserted after Section 9-B of Republic Act No. 10591, to read as follows:

“SEC. 9-C. Duties of Dealers, Manufacturers, Importers, Gun Clubs, and Shooting Ranges. —

- (a) No licensed dealer, manufacturer, or importer shall deliver a firearm to a purchaser or transferee unless the delivery is accompanied by a secure storage device or a locking device conforming to the standards under Section 28 of the Safe Firearm Storage and Anti-Firearm Negligence Act, which may be included in the purchase price or sold at cost, and by a written safe-storage notice in English and Filipino, receipt of which the purchaser shall acknowledge in writing. A copy of the acknowledgment shall be retained for five (5) years and shall be produced on demand of the FEO-PNP.
- (b) Every licensed dealer, manufacturer, importer, gun club, and shooting range shall display, at every point of sale and at every firing line, a conspicuous notice in English and Filipino stating the duties imposed by Section 9-A and the penalties under Section 41-A.
- (c) No gun club or shooting range shall permit a child to handle or discharge a firearm except under the direct, continuous, and physically proximate supervision of a range safety officer and with the written consent of a parent or legal guardian present at the facility. The operator shall maintain a register of all such instances for five (5) years.
- (d) No gun club, shooting range, dealer, or manufacturer shall permit a firearm in its custody to leave the facility in the possession of a person who is not an authorized person.
- (e) Every licensed dealer and every accredited shooting range may, upon accreditation by the FEO-PNP, provide safekeeping services under Section 40-B, subject to the storage standards applicable to a Type 5 licensee, to insurance or bonding as the rules may require, and to a written receipt and inventory for every deposit.
- (f) Violation of this Section shall be punished by a fine of not less than One hundred thousand pesos (P100,000.00) but not more than Five hundred thousand pesos (P500,000.00) for each violation, and by suspension of the dealer's, manufacturer's, importer's, or accreditation license for not less than thirty (30)

days for the first offense, not less than six (6) months for the second, and revocation for the third. Where the violation results in the acquisition of a firearm by a child or prohibited person, the responsible officer shall additionally be liable under Section 41-A.”

SEC. 9. Compliance Verification and Inspection. — A new Section 9-D is hereby inserted after Section 9-C of Republic Act No. 10591, to read as follows:

“SEC. 9-D. *Compliance Verification and Inspection.* — Compliance with Section 9-A shall be verified as follows:

(a) Types 1 and 2 licensees. Verification shall be by the annual sworn certification required under Section 19-A. No physical inspection of a residence shall be conducted except: (1) upon the prior, specific, written, and freely given consent of the licensee, which may be withdrawn at any time and the withholding of which shall not of itself be a ground for any sanction; (2) upon an order of a competent court issued upon a showing of probable cause to believe that a violation of Section 9-A or Section 41-A has been committed; or (3) upon a lawful search conducted under a search warrant or under a recognized exception to the warrant requirement.

(b) Types 3 to 5 licensees, juridical entities, government offices, dealers, manufacturers, importers, gun clubs, shooting ranges, and private security service providers. These shall be subject to administrative inspection of the storage facility, which shall be conducted: upon not less than fifteen (15) days’ prior written notice stating the date, scope, and legal basis, except where the inspection follows an incident of loss, theft, or unauthorized access, in which case notice of forty-eight (48) hours shall suffice; during reasonable hours; by an inspector accredited under Section 42-C and bearing official identification; in the presence of the licensee or a representative; and limited in scope to the storage facility, the storage devices, the firearms inventory, and the records required by this Act. A written inspection report shall be prepared and a copy furnished the licensee within five (5) days.

(c) Limits. Nothing in this Section shall be construed to authorize the warrantless entry into or search of a residence or of any place other than the storage facility identified in paragraph (b), or the search of any person, vehicle, document, device, or effect not necessary to verify compliance

with Section 9-A. Any evidence obtained in violation of this Section or of Article III of the Constitution shall be inadmissible for any purpose in any proceeding.

(d) Conduct of inspectors. An inspector who conducts an inspection without authority or beyond the scope authorized, who solicits, demands, or receives any gift, benefit, or consideration in connection with an inspection, who falsifies an inspection report, or who discloses to any unauthorized person the location, type, or means of opening of a secure storage device or the contents of a firearms inventory, shall suffer *prisión correccional* and a fine of not less than Two hundred thousand pesos (P200,000.00) but not more than One million pesos (P1,000,000.00), perpetual absolute disqualification from public office, and forfeiture of accreditation, without prejudice to liability under Republic Act No. 3019, Republic Act No. 6713, and Republic Act No. 10173.

(e) Random documentary audit. The FEO-PNP shall annually select not less than five percent (5%) of licensees by random and risk-based sampling for documentary verification of the certification filed under Section 19-A. Verification under this paragraph shall be conducted by correspondence or through the electronic platform and shall not involve entry into any premises.

(f) Relation to Section 20. The authority of the Chief of the PNP or an authorized representative under Section 20 to require reports and to inspect or examine the inventory and records of a licensed manufacturer, dealer, or importer is retained, and shall be exercised subject to paragraphs (b), (c), and (d) of this Section.”

SEC. 10. Safe-Storage Refresher Upon Renewal. — Section 19 of Republic Act No. 10591, as amended by Republic Act No. 11766, is hereby further amended by adding a final paragraph, to read as follows:

“SEC. 19. *Renewal of Licenses and Registration.* —

x x x

No license or registration shall be renewed unless the licensee has, within the twelve (12) months preceding the application for renewal, completed a safe-storage refresher course approved by the FEO-PNP and has filed the certification required under Section 19-A. The refresher

course shall be made available without charge through the electronic platform established under Section 42-A and, for licensees without reliable access to that platform, at the police station having jurisdiction over the licensee's residence. A licensee who completed the course required under Section 4(d) within the twenty-four (24) months preceding the application shall be deemed to have complied with this paragraph. The FEO-PNP shall not deny or delay a renewal on the ground of non-completion where the course was not made reasonably available to the licensee, in which case the licensee shall be granted a provisional renewal valid for six (6) months within which to comply."

SEC. 11. Continuing Compliance and Periodic Re-Screening. — A new Section 19-A is hereby inserted after Section 19 of Republic Act No. 10591, to read as follows:

"SEC. 19-A. Continuing Compliance and Periodic Re-Screening. —

(a) Annual safe-storage certification. Every licensee and every accountable custodian shall file annually, on or before the anniversary of the licensee's date of birth, a certification under oath stating: that each registered firearm is stored in compliance with Section 9-A; the address of the premises where each firearm is stored; the type, make, and certification of each secure storage device in use; and whether a child or prohibited person resides in, regularly visits, or has ordinary access to the premises. The certification shall be filed without charge through the electronic platform established under Section 42-A or, where the licensee has no reliable access to that platform, at the police station having jurisdiction over the licensee's residence. The FEO-PNP shall not require the submission of photographic or video images of the interior of a residence, of a secure storage device, or of its location, and shall not accept or retain such images if submitted.

(b) Periodic re-screening. Every licensee shall undergo the evaluation described in Section 4(b) at intervals of not more than five (5) years, notwithstanding any longer validity period elected under Section 19.

(c) Event-triggered re-screening. A licensee shall additionally undergo the evaluation described in Section 4(b) within sixty (60) days after any of the following, and shall report the occurrence to the FEO-PNP within thirty (30) days from its occurrence or from the licensee's knowledge thereof: the lapse or termination of a Firearm Safety Protection Order

issued against the licensee; discharge from an admission to a facility for the treatment of a mental health condition where the admission arose from a risk of harm to self or others; the filing of an information against the licensee for a crime of violence or for a violation of Republic Act No. 9165 or Republic Act No. 9262; the issuance against the licensee of a protection order under Republic Act No. 9262; or a report under Section 9-B of unauthorized access to the licensee's firearm.

(d) Safeguards. All evaluations under this Section shall be conducted and all records thereof kept in accordance with Republic Act No. 11036 and Republic Act No. 10173. The prior or current receipt of mental health services, or the voluntary seeking of such services, shall not in itself be a ground for an adverse finding, for suspension, or for revocation. A licensee who receives an adverse finding shall be furnished a written statement of its factual basis, may obtain a second evaluation at the licensee's option from another accredited professional, and may appeal as provided in Section 39.

(e) Accessibility and cost. The Department of Health, in coordination with local government units, shall ensure that the evaluations required by this Section are available in every province. The FEO-PNP shall, in consultation with the Department of Health, prescribe a schedule of maximum fees chargeable for such evaluations, and shall provide for them without charge to indigent licensees through the Firearm Safety and Violence Prevention Fund.

(f) Consequences of non-compliance; due process. Failure to file the certification under paragraph (a) or to undergo an evaluation required under paragraphs (b) or (c) shall not of itself result in suspension. The FEO-PNP shall first serve written notice specifying the deficiency and affording the licensee thirty (30) days within which to comply. If the deficiency remains uncured, the FEO-PNP may suspend the license, and the licensee may within fifteen (15) days from receipt of the order of suspension request a hearing, which shall be conducted and resolved within thirty (30) days. An order of suspension shall state its factual and legal basis and shall be appealable as provided in Section 39. A suspension under this Section shall not exceed one hundred eighty (180) days, at the end of which the license shall either be reinstated or revoked in accordance with Section 39.

(g) Custody of firearms during suspension. Where a license is suspended or revoked under this Section, the licensee shall, within fifteen (15) days from the finality of the order, deposit the firearm for safekeeping under Section 40-B with the PNP or with an accredited dealer or range of the licensee's choosing, or lawfully transfer it. Firearms shall be taken into the custody of the PNP without the licensee's consent only pursuant to a final order of revocation, a Firearm Safety Protection Order, a search warrant, or a lawful warrantless seizure. Every taking shall be covered by a written receipt and inventory furnished to the licensee."

SEC. 12. Grounds for Revocation; Administrative Due Process. — Section 39 of Republic Act No. 10591 is hereby amended by adding new paragraphs (k) to (o) and a final paragraph, to read as follows:

"SEC. 39. Grounds for Revocation, Cancellation or Suspension of License or Permit. —

x x x

(k) Failure to comply with Section 9-A, upon a finding after notice and hearing that the licensee intentionally permitted or, through negligence, enabled access by an unauthorized person to a registered firearm or ammunition, or that the firearm was used by or recovered from an unauthorized person under circumstances showing such intent or negligence;

(l) Failure to report a loss, theft, or unauthorized access within the period prescribed in Section 9-B;

(m) Failure to cure a deficiency under Section 19-A(f) within the period allowed;

(n) The issuance against the licensee of a Firearm Safety Protection Order under Section 40-A or of a protection order under Republic Act No. 9262 directing the surrender of or prohibiting access to firearms, for the duration thereof; and

(o) Conviction by final judgment of an offense under Section 9-C, 41, 41-A, 41-B, or 41-C.

No license or permit shall be revoked, cancelled, or suspended except upon written notice stating the factual and legal grounds

therefor, an opportunity to submit a written explanation within fifteen (15) days, and, upon request, a hearing at which the licensee may be assisted by counsel and may present and confront evidence. The decision shall be in writing, shall state the facts and the law on which it is based, and shall be rendered within thirty (30) days from the submission of the case. The licensee may appeal to the Secretary of the Interior and Local Government within fifteen (15) days from receipt, and the appeal shall be resolved within sixty (60) days, without prejudice to judicial review. An administrative proceeding under this Section is independent of, and may proceed notwithstanding, any criminal action arising from the same act; but a judgment of acquittal grounded on a finding that the act from which liability would arise did not exist shall be a ground to lift the administrative sanction.

Where preventive suspension is necessary to protect life, the Chief of the PNP may order it upon a written finding of specific facts showing an immediate danger, in which case the notice and hearing required by this Section shall be afforded within ten (10) days from the order, and the preventive suspension shall lapse if a hearing is not commenced within that period."

SEC. 13. Failure to Report Loss, Theft, or Unauthorized Access. — Section 40 of Republic Act No. 10591 is hereby amended to read as follows:

"SEC. 40. Failure to Notify Loss, Theft, or Unauthorized Access of Firearm or Light Weapon. — A fine of Ten thousand pesos (P10,000.00) shall be imposed upon any licensed firearm holder who fails to report to the FEO of the PNP that the subject firearm has been lost or stolen within a period of thirty (30) days from the date of discovery.

A fine of not less than fifty thousand pesos (P50,000.00) but not more than Two hundred thousand pesos (P200,000.00) shall be imposed upon any registered owner or accountable custodian who fails to report a loss, theft, or unauthorized access within the period prescribed in Section 9-B, and the license shall be suspended for not less than six (6) months.

Where the failure to report continues for more than thirty (30) days, or where the firearm is thereafter used in the commission of a crime, or where the firearm is a government firearm or a firearm issued by a private security service provider, the penalty shall be *arresto mayor* in

its maximum period to *prisión correccional* in its minimum period and a fine of not less than Two hundred thousand pesos (P200,000.00) but not more than One million pesos (P1,000,000.00), and the license shall be revoked.

Any person who files a report under Section 9-B knowing it to be false, or who reports a firearm as lost or stolen in order to conceal its transfer, disposal, or use, shall suffer *prisión correccional* and a fine of not less than Three hundred thousand pesos (P300,000.00) but not more than One million pesos (P1,000,000.00), and shall be perpetually disqualified from holding a firearm license.

Likewise, a fine of ~~Five thousand pesos (P5,000.00)~~ **Twenty thousand pesos (P20,000.00)** shall be imposed upon any person holding a valid firearm license who changes residence or office address other than that indicated in the license card and fails within a period of thirty (30) days from said transfer to notify the FEO of the PNP of such change of address."

SEC. 14. Firearm Safety Protection Orders. — A new Section 40-A is hereby inserted after Section 40 of Republic Act No. 10591, to read as follows:

"SEC. 40-A. *Firearm Safety Protection Orders.* —

(a) Nature and purpose. A Firearm Safety Protection Order (FSPO) is an order issued by a court directing that a person surrender firearms, ammunition, licenses, and permits in that person's possession or control, and prohibiting that person from acquiring, possessing, or having access to a firearm for the duration of the order, where the person poses a significant danger of causing serious physical injury or death to himself, herself, or another by possessing or having access to a firearm.

(b) Who may petition. A verified petition may be filed by: the spouse or former spouse of the respondent; a parent, child of at least fifteen (15) years, ascendant, descendant, or collateral relative within the fourth civil degree; a person who is or was a member of the respondent's household or who cohabits or cohabited with the respondent; the legal guardian of the respondent; a physician, psychologist, psychiatrist, or other mental health professional who has personally examined the respondent within the preceding six (6) months; the head, guidance counselor, or designated

child protection officer of a school in which the respondent or a child of the respondent is enrolled; the punong barangay of the barangay where the respondent resides; a social worker of the Department of Social Welfare and Development or of a local government unit; a peace officer; or, in the case of a government firearm or a firearm issued by a private security service provider, the head of the agency or the licensed operator.

(c) Venue. The petition shall be filed with the Regional Trial Court, the Metropolitan Trial Court, the Municipal Trial Court in Cities, the Municipal Trial Court, or the Municipal Circuit Trial Court of the place where the respondent resides or where any firearm subject of the petition is kept. Where the respondent or the person at risk is a child, the petition shall be filed with the Family Court. Petitions under this Section shall be exempt from the payment of docket and other lawful fees where the petitioner is indigent.

(d) Contents. The petition shall state the facts constituting the danger; the dates and circumstances of the acts, statements, or conduct relied upon; the firearms known or believed to be in the respondent's possession or control, with their descriptions and locations to the extent known; and the relief sought. It shall be supported by the affidavits of the petitioner and of any witness having personal knowledge.

(e) Grounds. An FSPO may issue upon a showing of any of the following, considered together with all the circumstances: a recent threat or act of violence by the respondent against himself, herself, or another, whether or not involving a firearm; a pattern of threats or acts of violence within the preceding twelve (12) months; a recent act of cruelty to animals; the unlawful or reckless display, brandishing, or discharge of a firearm; a violation of a protection order under Republic Act No. 9262 or of a Firearm Safety Protection Order; an admission or a professional finding of a serious risk of suicide or of harm to others; or the abuse of dangerous drugs or of alcohol accompanied by threats or acts of violence. Evidence of a mental health diagnosis or of the receipt of mental health services shall not, standing alone, constitute a ground.

(f) Temporary Firearm Safety Protection Order. The court shall examine the petition and the supporting affidavits and, if it finds probable cause to believe that the grounds exist and that the danger is immediate,

shall issue *ex parte* a Temporary Firearm Safety Protection Order (TFSPPO) within twenty-four (24) hours from the filing of the petition. The TFSPPO shall be effective for twenty (20) days, shall direct the respondent to surrender all firearms, ammunition, licenses, and permits within twenty-four (24) hours from service, shall suspend the respondent's license and permits for its duration, and shall set the petition for hearing on a date within the period of its effectivity. The TFSPPO shall be served on the respondent together with the petition and the supporting affidavits.

(g) Hearing and final order. At the hearing the respondent shall have the right to be present, to be assisted by counsel, and to present and confront evidence. If the court finds by clear and convincing evidence that the grounds exist, it shall issue an FSPO for a period it deems necessary, not exceeding one (1) year, which may be extended upon a verified motion filed before its expiration and after hearing. If the court does not so find, it shall dismiss the petition and order the return of all surrendered items within five (5) days.

(h) Emergency custody by a peace officer. A peace officer who, upon personal knowledge of facts or upon a verified report, has probable cause to believe that a person poses an immediate danger of causing serious physical injury or death to himself, herself, or another by access to a firearm, may take temporary custody of the firearm, ammunition, license, and permits: *Provided*, That such custody shall be taken only by voluntary surrender, or pursuant to a search warrant, or under a recognized exception to the warrant requirement, and never by the warrantless entry into a residence or private place: *Provided, further*, That the officer shall issue a written receipt and inventory at the time of taking, shall report the taking to the FEO-PNP within twelve (12) hours, and shall cause a petition under this Section to be filed within seventy-two (72) hours from the taking, failing which the firearm, ammunition, license, and permits shall be returned forthwith. The seventy-two (72)-hour period shall not be extended.

(i) Surrender and custody. A respondent directed to surrender shall do so to the PNP, or, at the respondent's option and at the respondent's expense, to a licensed dealer or an accredited shooting range qualified under Section 9-C(e), which shall hold the items subject to the order of the court. Every surrender shall be covered by a written receipt and itemized

inventory. Items surrendered shall be stored in a manner preserving their condition, and the custodian shall be liable for loss or deterioration attributable to its fault. Surrendered items shall not be sold, transferred, disposed of, or used while the order is in force.

(j) Return. Upon the expiration, dismissal, or termination of an order, the custodian shall return all surrendered items to the respondent within five (5) days upon presentation of the court's order, unless the respondent has in the meantime become a prohibited person, in which case the court shall, upon motion and after summary hearing, direct the lawful transfer or disposal of the items. At any time during the effectivity of an order, the respondent may move for the transfer of the surrendered items to a qualified licensee who does not reside with the respondent, and the court may grant the motion upon such conditions as it may impose.

(k) Motion to lift. The respondent may, once during the effectivity of a final FSPO, move to lift or modify it, and the court shall resolve the motion after hearing within twenty (20) days.

(l) Confidentiality. The identity of a petitioner who is a physician, mental health professional, school official, or household member may, upon motion and for good cause shown, be withheld from public records, subject to disclosure to the respondent and the respondent's counsel when necessary to a fair hearing. Records of proceedings under this Section shall not be published and shall not be disclosed except to the parties, their counsel, the FEO-PNP, and the court.

(m) Registry. Every TFSPPO and FSPO, and every lifting, modification, expiration, or extension thereof, shall be transmitted by the issuing court to the FEO-PNP within twenty-four (24) hours and recorded in the national database under Section 42-A.

(n) Violation. Any respondent who violates an FSPO or TFSPPO shall suffer *prisión correccional* and a fine of not less than Two hundred thousand pesos (P200,000.00) but not more than One million pesos (P1,000,000.00), and shall be perpetually disqualified from holding a firearm license, without prejudice to liability for contempt and for any other offense.

(o) Suppletory rules. The Rules of Court and the rules governing protection orders under Republic Act No. 9262 shall apply suppletorily.

The Supreme Court is respectfully requested to promulgate the rules of procedure for petitions under this Section within one hundred eighty (180) days from the effectivity of the Safe Firearm Storage and Anti-Firearm Negligence Act.”

SEC. 15. Voluntary and Emergency Safekeeping. — A new Section 40-B is hereby inserted after Section 40-A of Republic Act No. 10591, to read as follows:

“SEC. 40-B. *Voluntary and Emergency Safekeeping.* — A registered owner or accountable custodian may, at any time and for any reason, deposit a firearm and ammunition for safekeeping with the PNP, with a licensed dealer, or with an accredited shooting range qualified under Section 9-C(e). The deposit shall be covered by a written receipt and itemized inventory, shall not constitute a transfer, surrender, or abandonment, shall not affect the validity of the license or registration, and shall not be recorded or reported as an adverse circumstance.

No fee shall be charged for a deposit with the PNP for a period not exceeding one (1) year. The depositor may withdraw the deposit at any time upon presentation of the receipt and proof of identity and of a valid license, unless the depositor has become a prohibited person or the firearm is subject to a court order.

The FEO-PNP shall publicize the availability of safekeeping under this Section as a measure available to any person concerned for the safety of a household member, and no adverse inference shall be drawn from a deposit in any proceeding under this Act. The PNP shall ensure that every police station is able to receive a deposit under this Section or, where it cannot, to arrange one at the nearest facility that can.

This Section is without prejudice to Section 22 on the deposit of firearms by persons arriving from abroad.”

SEC. 16. Illegal Transfer, Entrustment, or Allowance of Access. — Section 41 of Republic Act No. 10591 is hereby amended to read as follows:

“SEC. 41. *Illegal Transfer, Entrustment, or Allowance of Access; Fraudulent Registration of Firearms.* — It shall be unlawful for any person to transfer possession of, entrust, lend, give, or otherwise make available a firearm, ammunition, or major part thereof to a person who is not an authorized

person with respect thereto, or to permit such a person to have access to the same.

- (a) A person who knowingly sells, delivers, transfers, or otherwise disposes of a firearm, ammunition, or major part thereof to an unlicensed or otherwise unauthorized person, or a registered owner or accountable custodian who knowingly lends, entrusts, gives, permits access to, or otherwise makes a firearm or ammunition available for the possession or use of such a person, shall suffer *prisión correccional* and a fine of not less than Three hundred thousand pesos (P300,000.00) but not more than Six hundred thousand pesos (P600,000.00). Where the person to whom the firearm is made available is a child or a prohibited person, the penalty shall be imposed in its maximum period.
- (b) If the firearm subject of a violation of paragraph (a) is used in the commission of a crime, the person liable under paragraph (a) shall suffer a penalty one (1) degree lower than that prescribed for the crime committed, but in no case lower than that prescribed in paragraph (a): *Provided*, That where the person liable under paragraph (a) made the firearm available knowing that it was to be used in the commission of that crime, or with knowledge of facts from which such use was a reasonably foreseeable consequence, that person shall be liable as a principal or as an accomplice under the Revised Penal Code, in which case this Section shall not apply. The fine prescribed under paragraph (a) shall in every case likewise be imposed.
- (c) A public officer or employee who knowingly transfers, lends, entrusts, or permits the unauthorized possession or use of a government firearm shall suffer *reclusión temporal* and a fine of not less than One million pesos (P1,000,000.00) but not more than Two million pesos (P2,000,000.00). If the firearm was used to commit a crime and the officer knew of or consciously disregarded that substantial risk, the fine shall be not less than Two million pesos (P2,000,000.00) but not more than Five million pesos (P5,000,000.00), without prejudice to a higher principal penalty under another law. Conviction under this

paragraph shall carry the accessory penalty of perpetual absolute disqualification from public office, and shall be without prejudice to administrative liability, including dismissal from the service, to be determined by the disciplining authority having jurisdiction.

- (d) A person who registers or facilitates the registration of a firearm through fraud, deceit, misrepresentation, or the submission of falsified documents shall suffer *prisión correccional* in its maximum period and a fine of not less than Three hundred thousand pesos (P300,000.00) but not more than Six hundred thousand pesos (P600,000.00), without prejudice to prosecution for falsification or perjury.
- (e) Conviction under any paragraph of this Section shall carry with it the revocation of all licenses and permits of the offender, whether for purposes of commerce or of possession, and perpetual disqualification from applying for any firearm license.
- (f) This Section shall not apply to: a lawful sale or transfer under Section 21; a deposit, surrender, or official custody under this Act; documented repair, testing, or servicing by a licensed gunsmith, dealer, or manufacturer; a valid duty detail order or official assignment; direct and continuous supervision at an accredited shooting range or training facility; the temporary taking of a firearm solely to disarm another person or to respond to an imminent danger to life; or an act done in defense of self, of another, or of right under Article 11 of the Revised Penal Code."

SEC. 17. Negligent Storage; Criminally Negligent Unauthorized Access. — A new Section 41-A is hereby inserted after Section 41 of Republic Act No. 10591, to read as follows:

"SEC. 41-A. Negligent Storage; Criminally Negligent Unauthorized Access. —

(a) Negligent storage. A registered owner or accountable custodian who fails to comply with Section 9-A, where no unauthorized access has resulted, shall be liable to an administrative fine of not less than Ten thousand pesos (P10,000.00) but not more than Fifty thousand pesos

(P50,000.00) and suspension of the license for not more than six (6) months for the first offense; and to a fine of not less than Fifty thousand pesos (P50,000.00) but not more than Two hundred thousand pesos (P200,000.00) and revocation of the license for the second offense. A third or subsequent offense shall be punished by *arresto mayor* and a fine of not less than One hundred thousand pesos (P100,000.00) but not more than Three hundred thousand pesos (P300,000.00). Liability under this paragraph shall be determined in accordance with Section 39.

(b) Criminally negligent unauthorized access. A registered owner or accountable custodian commits criminally negligent unauthorized access when:

- (1) the accused had a duty under Section 9-A, a duty detail order, written official orders, or another lawful custodial arrangement to secure or control the firearm or ammunition;
- (2) the accused, through negligence, imprudence, lack of foresight, or lack of skill, breached that duty; and
- (3) an unauthorized person, as a direct and reasonably foreseeable consequence of that breach, obtained unauthorized access to the firearm or ammunition.

(c) Penalties. Criminally negligent unauthorized access shall be punished as follows:

- (1) where the unauthorized person is an adult and the firearm was not discharged, brandished, or used to threaten, and no injury resulted: *arresto mayor* and a fine of not less than One hundred thousand pesos (P100,000.00) but not more than Three hundred thousand pesos (P300,000.00);
- (2) where the unauthorized person is a child or a prohibited person, or where the firearm was brought into or within the premises of a school, hospital, place of worship, government building, public transport terminal, or public assembly: *prisión correccional* in its minimum and medium periods and a fine of not less than Two hundred thousand pesos (P200,000.00) but not more than Five hundred thousand pesos (P500,000.00);
- (3) where the firearm was discharged, brandished, or used to threaten, or was used in the commission of any crime: *prisión*

correccional in its maximum period to *prisión mayor* in its minimum period and a fine of not less than Three hundred thousand pesos (P300,000.00) but not more than One million pesos (P1,000,000.00); and

- (4) where serious physical injuries or death resulted: *prisión mayor* in its medium and maximum periods and a fine of not less than Five hundred thousand pesos (P500,000.00) but not more than Two million pesos (P2,000,000.00).

Where the accused is a public officer or employee, or where the firearm is a government firearm or a firearm issued by a private security service provider, the penalty shall be imposed in its maximum period and shall carry the accessory penalty of perpetual absolute disqualification from public office.

Conviction under paragraph (c)(1) shall carry disqualification from holding a firearm license for ten (10) years. Conviction under paragraphs (c)(2) to (c)(4) shall carry perpetual disqualification from holding a firearm license.

Subsidiary imprisonment shall be imposed in case of insolvency in accordance with Article 39 of the Revised Penal Code: *Provided*, That upon a finding of indigency the court may allow payment of the fine in installments over a period not exceeding two (2) years.

(d) Disputable presumption. Where a firearm or ammunition registered to, or officially issued to, the accused is found in the actual possession or under the control of an unauthorized person, a disputable presumption shall arise that the accused failed to comply with the duties imposed by Section 9-A. This presumption shall not arise where, before the unauthorized access occurred, the accused had reported the loss or theft of the firearm in accordance with Section 9-B. Nothing in this paragraph shall relieve the prosecution of the burden of proving every element of the offense beyond reasonable doubt, nor shall it be construed to shift to the accused the burden of proving innocence, nor shall it dispense with proof of the remaining elements under paragraph (b).

(e) Defenses. No liability shall arise under this Section where:

- (1) the accused complied with the applicable paragraphs of Section 9-A;
- (2) access resulted from robbery, theft, force, intimidation, fraud, or the defeat or tampering of a secure storage device, and the accused had complied with Section 9-A and reported the incident in accordance with Section 9-B;
- (3) the access occurred by reason of a lawful transfer, a documented official issuance, participation in a directly supervised sporting or training activity, the temporary taking of the firearm solely to disarm another person or to respond to an imminent danger to life, or an act done in defense of self, of another, or of right under Article 11 of the Revised Penal Code;
- (4) compliance was rendered impossible by a fortuitous event, and the accused reported the circumstance at the earliest opportunity; or
- (5) the accused is a juridical entity, in which case liability under this Section shall attach only to the responsible officer or accountable custodian, without prejudice to the administrative fine and to the revocation or suspension of the entity's licenses and permits.

(f) Relation to other offenses. Where the same act constitutes an offense under Article 365 of the Revised Penal Code or under Section 28, 29, or 30 of this Act, the accused shall be prosecuted and penalized under the provision imposing the higher penalty, and conviction or acquittal under one shall bar prosecution under the other for the same act. Nothing in this Section shall preclude prosecution as a principal, accomplice, or accessory under the Revised Penal Code where intent, conspiracy, or complicity is established, in which case this Section shall not apply. This Section is without prejudice to the separate civil liability arising under Section 41-D.

(g) Prescription. Offenses under this Section shall prescribe in accordance with Articles 90 and 91 of the Revised Penal Code, the penalties prescribed herein being those defined in the said Code. The period of prescription shall commence from the discovery of the offense by the offended party, the authorities, or their agents.

(h) Mitigation. In imposing the penalty the court shall consider in mitigation the voluntary and timely report of the unauthorized access under Section 9-B, the use of a certified secure storage device that was defeated, the immediate recovery of the firearm through the accused's own efforts, and the absence of any prior violation of this Act."

SEC. 18. Accountability for Government Firearms. — A new Section 41-B is hereby inserted after Section 41-A of Republic Act No. 10591, to read as follows:

"SEC. 41-B. Accountability for Government Firearms. —

(a) Coverage. This Section applies to the Philippine National Police, the Armed Forces of the Philippines, the Bureau of Jail Management and Penology, the Bureau of Corrections, the National Bureau of Investigation, the Philippine Drug Enforcement Agency, the Bureau of Customs, the Philippine Coast Guard, the Bureau of Fire Protection, the Bureau of Immigration, the National Intelligence Coordinating Agency, local government units, and every other agency, instrumentality, bureau, office, or government-owned or -controlled corporation authorized to acquire, hold, or issue firearms.

(b) Firearms Accountability System. Every covered agency shall establish and maintain a Firearms Accountability System recording, by serial number, every firearm, ammunition lot, and major part in its inventory; every issuance and return, with the date, time, and identity of the issuing and receiving officers; the current location and custodian of every item; and every loss, theft, damage, repair, disposal, and recovery. The System shall be maintained in digital form and shall be interoperable with, and shall transmit its inventory data at least quarterly to, the national database under Section 42-A.

(c) Armory storage; end-of-tour turnover. A government firearm not required for the current duty of the officer or employee to whom it is issued shall be stored in the agency armory. Every armory shall meet the standards prescribed under Section 28 of the Safe Firearm Storage and Anti-Firearm Negligence Act, which shall in no case be lower than those applicable to a Type 5 licensee, and shall be secured by controlled access, an intrusion alarm, and a logged custody record. Firearms shall be returned to the armory at the end of the duty tour except as provided in paragraph (d).

(d) Storage outside the armory. A government firearm may be kept by the issued officer or employee outside the armory only where: the officer is on call or the nature of the assignment reasonably requires it; the agency has issued written authority specifying the period and the premises; the officer has certified under oath the use of a secure storage device conforming to Section 3-A and has complied with Section 9-A; and no child or prohibited person residing in, regularly visiting, or having ordinary access to the premises holds or can reasonably discover the key, combination, credential, or enrolled biometric. The written authority shall be reviewed at least annually and shall be withdrawn upon any finding of non-compliance. A government firearm shall not be kept outside the armory by an officer who is suspended, on leave in excess of thirty (30) days, under investigation for a violent offense, relieved from duty, or the subject of a Firearm Safety Protection Order or of a protection order under Republic Act No. 9262.

(e) Turnover on separation or relief. Every government firearm shall be surrendered to the armory within twenty-four (24) hours from the officer's suspension, relief, resignation, retirement, separation, or the expiration of a duty detail order. No terminal leave benefit, clearance, or final pay shall be released until the surrender is recorded.

(f) Reporting of loss, theft, or unauthorized access. The loss, theft, or unauthorized access of a government firearm shall be reported by the accountable officer to the unit commander or head of office and to the FEO-PNP within twenty-four (24) hours from discovery, and by the head of office to the Commission on Audit within seventy-two (72) hours.

(g) Inventory and audit. Every covered agency shall conduct a physical inventory of all firearms and ammunition at least quarterly, reconcile it with the Firearms Accountability System, and submit the reconciliation to the FEO-PNP. The Commission on Audit shall conduct an annual audit of firearms accountability in every covered agency and shall transmit its report to the agency, to the FEO-PNP, and to the Congressional Oversight Committee created under Section 30 of the Safe Firearm Storage and Anti-Firearm Negligence Act.

(h) Command responsibility. A unit commander, head of office, supply officer, or property custodian who fails to establish or maintain the

Firearms Accountability System, who fails to conduct the required inventory, who issues written authority under paragraph (d) without verifying compliance, or who knowingly tolerates non-compliance with this Section, shall be liable for gross neglect of duty under the Civil Service rules and, where a loss or unauthorized access results in death or serious physical injuries, shall be liable as an accountable custodian under Section 41-A.

(i) Criminal liability. A public officer or employee who, through negligence, permits a government firearm to come into the possession of an unauthorized person shall be liable under Section 41-A, the penalty to be imposed in its maximum period. A public officer or employee who falsifies an entry in the Firearms Accountability System, who fails to record an issuance or return, or who certifies falsely under paragraph (d) shall suffer *prisión correccional* in its maximum period and a fine of not less than Three hundred thousand pesos (P300,000.00) but not more than One million pesos (P1,000,000.00), and perpetual absolute disqualification from public office, without prejudice to liability under Article 171 of the Revised Penal Code.

(j) Transition. Every covered agency shall establish its Firearms Accountability System and shall complete a full physical inventory of all firearms and ammunition in its custody within one (1) year from the effectivity of the Safe Firearm Storage and Anti-Firearm Negligence Act, and shall report the results to the FEO-PNP, to the Commission on Audit, and to the Congressional Oversight Committee.”

SEC. 19. Accountability of Private Security Service Providers. — A new Section 41-C is hereby inserted after Section 41-B of Republic Act No. 10591, to read as follows:

“SEC. 41-C. *Accountability of Private Security Service Providers.* — Every private security agency, company security force, government security force, and private detective agency licensed under Republic Act No. 11917 shall:

- (a) maintain a Firearms Accountability System conforming to Section 41-B(b), recording by serial number every firearm in its inventory and every issuance to and return by a security professional;

- (b) store every firearm not issued for a current duty detail in an agency armory meeting the standards applicable to a Type 5 licensee under Section 9;
- (c) require the return of every issued firearm to the armory at the end of the duty tour, except where the duty detail order expressly authorizes otherwise and the security professional has certified compliance with Section 9-A;
- (d) require the surrender of every issued firearm within twenty-four (24) hours from the suspension, relief, resignation, termination, retirement, or separation of a security professional, or from the expiration or cancellation of the duty detail order or of the security professional's license, and withhold the release of final pay and clearance until the surrender is recorded;
- (e) report the loss, theft, or unauthorized access of a firearm to the FEO-PNP within twenty-four (24) hours from discovery;
- (f) conduct a physical inventory at least quarterly and submit the reconciliation to the FEO-PNP; and
- (g) not issue a firearm to a person who is not a licensed security professional holding a valid duty detail order, or to a person against whom a Firearm Safety Protection Order or a protection order under Republic Act No. 9262 is in force.

The operator, manager, or responsible officer of a private security service provider who violates this Section shall suffer *prisión correccional* and a fine of not less than five hundred thousand pesos (P500,000.00) but not more than Two million pesos (P2,000,000.00), and the license to operate shall be suspended for not less than six (6) months for the first offense and revoked for the second. Where a firearm of the provider comes into the possession of an unauthorized person by reason of a violation of this Section, the responsible officer shall additionally be liable under Section 41-A, the penalty to be imposed in its maximum period.

A security professional who fails to return an issued firearm as required by paragraph (c) or (d), or who keeps such a firearm after the expiration or cancellation of the duty detail order or of the professional's license, shall suffer *prisión correccional* and a fine of not less than One

hundred thousand pesos (P100,000.00) but not more than Five hundred thousand pesos (P500,000.00), and shall be perpetually disqualified from holding a security professional license, without prejudice to liability under Section 28 of this Act.”

SEC. 20. Civil Liability. — A new Section 41-D is hereby inserted after Section 41-C of Republic Act No. 10591, to read as follows:

“SEC. 41-D. *Civil Liability.* — A violation of Section 9-A which results in unauthorized access shall constitute negligence for purposes of Articles 20, 2176, and 2180 of the Civil Code. The registered owner and the accountable custodian shall be solidarily liable with the unauthorized person for all damages resulting from the possession, use, or discharge of the firearm.

Parents and other persons exercising parental authority or substitute parental authority shall be solidarily liable for damages caused by a child who obtained unauthorized access to a firearm in their custody or in the custody of a member of their household, in accordance with Article 2180 of the Civil Code and Articles 218 to 221 of the Family Code.

The civil action shall proceed independently of the criminal action and shall require only a preponderance of evidence. The extinction of the criminal action shall not carry with it the extinction of the civil action, except where the judgment declares that the facts from which the civil liability might arise did not exist.

No agreement, waiver, release, or quitclaim executed before the cause of action accrued shall bar recovery under this Section.

A victim of an offense under Section 41, 41-A, 41-B, or 41-C, and the heirs of a victim who died as a result thereof, may apply to the Board of Claims under Republic Act No. 7309 for compensation, and the Firearm Safety and Violence Prevention Fund established under Section 42-C shall be available to supplement such compensation as the rules may provide.”

SEC. 21. Malicious Reports; Good Faith Immunity; Confidentiality. — A new Section 41-E is hereby inserted after Section 41-D of Republic Act No. 10591, to read as follows:

“SEC. 41-E. *Malicious Reports; Good Faith Immunity; Confidentiality.* —

- (a) Any person who files a petition under Section 40-A, or makes a report under Section 9-B or to a peace officer under Section 40-A(h), knowing the material allegations thereof to be false, or with reckless disregard of their truth or falsity, or for the purpose of harassing, intimidating, or gaining an advantage over another person, shall suffer *prisión correccional* and a fine of not less than Two hundred thousand pesos (P200,000.00) but not more than One million pesos (P1,000,000.00), and shall be liable for damages, without prejudice to prosecution for perjury or for incriminating an innocent person.
- (b) No civil, criminal, or administrative liability shall attach to a person who, in good faith and on reasonable grounds, files a petition under Section 40-A, makes a report under Section 9-B, or furnishes information to a peace officer or to the FEO-PNP concerning a firearm or a person who may pose a danger. A mental health professional, physician, school official, or social worker who makes such a report in good faith shall not be held to have violated any duty of confidentiality, and the disclosure shall be deemed a disclosure permitted under Republic Act No. 11036 and Republic Act No. 10173.
- (c) A report, petition, evaluation, certification, or record generated under Section 4(b), 9-B, 19-A, or 40-A shall be used only for the purposes of this Act. Any public officer or employee, accredited professional, or other person who discloses such a record to an unauthorized person, or who uses it for a purpose other than those authorized by this Act, shall suffer *prisión correccional* and a fine of not less than One hundred thousand pesos (P100,000.00) but not more than Five hundred thousand pesos (P500,000.00), without prejudice to liability under Republic Act No. 10173 and Republic Act No. 11036."

SEC. 22. National Firearm Accountability and Injury Surveillance System. — A new Section 42-A is hereby inserted after Section 42 of Republic Act No. 10591, to read as follows:

"SEC. 42-A. *National Firearm Accountability and Injury Surveillance System.*
— The FEO-PNP shall establish and maintain, as part of the national

registry under Section 42, a National Firearm Accountability and Injury Surveillance System which shall:

- (a) provide a secure electronic platform through which licensees may file the certifications required under Sections 4(h) and 19-A, make the reports required under Section 9-B, complete the courses required under Sections 4(d) and 19, apply for and renew licenses, and arrange deposits under Section 40-B, without charge and with a facility for filing at any police station by licensees without reliable electronic access;
- (b) record every firearm reported lost, stolen, or subject to unauthorized access, and make that record available in real time to every police station, checkpoint, and law enforcement unit;
- (c) record every Temporary Firearm Safety Protection Order and Firearm Safety Protection Order transmitted under Section 40-A(m), and every protection order under Republic Act No. 9262 directing the surrender of or prohibiting access to firearms, and flag the licensee concerned as a prohibited person for the duration thereof;
- (d) receive and consolidate the quarterly inventory data transmitted by covered agencies under Section 41-B(b) and by private security service providers under Section 41-C(f); and
- (e) in coordination with the Department of Health, the Philippine Statistics Authority, and the Department of Education, compile anonymized data on firearm-related deaths and injuries, including the type of firearm, its registration or issuance status, the relationship of the shooter to the registered owner or accountable custodian, the manner in which the firearm was obtained, the storage arrangement then in force, and whether the incident occurred in or was connected to a school.

The FEO-PNP shall publish an annual report of the anonymized aggregate data under paragraph (e), and shall transmit the report to the Congressional Oversight Committee. No individual record shall be published.”

SEC. 23. Data Privacy, Confidentiality, and Non-Discrimination. — A new Section 42-B is hereby inserted after Section 42-A of Republic Act No. 10591, to read as follows:

“SEC. 42-B. Data Privacy, Confidentiality, and Non-Discrimination. —

- (a) All personal information and sensitive personal information collected under this Act shall be processed in accordance with Republic Act No. 10173 and, where it concerns mental health, with Republic Act No. 11036. The FEO-PNP shall register its processing systems with the National Privacy Commission, shall designate a Data Protection Officer, and shall conduct a privacy impact assessment before deploying the platform under Section 42-A.
- (b) Information concerning the location, type, or means of opening of a secure storage device, and the inventory of firearms held at a particular address, shall be classified as confidential, shall be accessible only to personnel whose duties require it, shall be logged upon every access, and shall not be disclosed pursuant to any request for information except upon the order of a competent court.
- (c) Records of evaluations under Sections 4(b) and 19-A shall be retained only for so long as necessary for the purposes of this Act and in no case beyond ten (10) years from the lapse of the last license held, after which they shall be securely disposed of. Only the fact of a favorable or adverse finding, and not the underlying clinical record, shall be transmitted to the FEO-PNP.
- (d) No person shall be denied a license, have a license suspended or revoked, or be subjected to any adverse action under this Act solely by reason of having sought, received, or been referred for mental health services. Nothing in this Act shall be construed to discourage any person from seeking mental health care.
- (e) A breach of the records described in this Section shall be reported to the National Privacy Commission and to every affected individual within seventy-two (72) hours of its discovery.”

SEC. 24. Inter-Agency Capacity Building; Firearm Safety and Violence Prevention Fund. — A new Section 42-C is hereby inserted after Section 42-B of Republic Act No. 10591, to read as follows:

“SEC. 42-C. Inter-Agency Capacity Building; Firearm Safety and Violence Prevention Fund. —

(a) The PNP, in coordination with the Department of Health, the Department of the Interior and Local Government, the Department of Social Welfare and Development, the Department of Education, and the Technical Education and Skills Development Authority, shall develop and implement a continuing capacity-building program which shall: train and accredit firearm safety instructors and safe-storage inspectors in every province, subject to a code of conduct and to the penalties under Section 9-D(d); expand, in coordination with the Department of Health and with accredited training institutions, the number of psychologists, psychiatrists, and other mental health professionals qualified to conduct evaluations under Sections 4(b) and 19-A, with priority to provinces where no such professional is presently available; train peace officers, prosecutors, court personnel, and barangay officials on Firearm Safety Protection Orders and on the offenses created by this Act; upgrade PNP regional and station storage facilities to receive deposits under Section 40-B and items surrendered under Section 40-A; and develop and maintain the platform under Section 42-A.

(b) There is hereby established a Firearm Safety and Violence Prevention Fund, to be administered by the PNP under rules issued jointly with the Department of Budget and Management and audited by the Commission on Audit, which shall consist of: all fines and administrative penalties collected under this Act; twenty percent (20%) of all license, registration, and permit fees collected under this Act; the net proceeds of the lawful disposal of forfeited firearms and ammunition; and grants, donations, and bequests from lawful sources.

(c) The Fund shall be used exclusively for: vouchers or direct subsidies for the acquisition of certified secure storage devices by licensees whose household income does not exceed the poverty threshold determined by the Philippine Statistics Authority, or who are recipients under Republic Act No. 11310; the free evaluations required under Section 19-A(e); the free courses required under Sections 4(d) and 19; the capacity-building program under paragraph (a); the platform under Section 42-A; armory upgrades under Section 41-B(c); the school-based programs under Section 26 of the Safe Firearm Storage and Anti-Firearm Negligence Act; and assistance to victims under Section 41-D.

(d) The PNP shall submit an annual report on the Fund to the Congressional Oversight Committee and shall publish it on its website.”

SEC. 25. Safe Storage Compliance Amnesty and Assistance Program. — Section 43 of Republic Act No. 10591 is hereby amended by adding the following paragraphs:

“SEC. 43. *Final Amnesty.* —

x x x

A Safe Storage Compliance Amnesty is hereby declared for a period of one (1) year from the publication of the minimum performance standards under Section 28 of the Safe Firearm Storage and Anti-Firearm Negligence Act. During the amnesty period: a person in possession of an unregistered firearm, or a holder of an expired license or registration, may register or renew the same without delinquency charges, surcharges, or penalties, and without criminal liability for the prior unregistered possession, upon showing compliance with Section 9-A; a person may surrender a firearm to the PNP without criminal liability for the prior unlawful possession thereof, unless the firearm has been used in the commission of a crime; and no administrative fine shall be imposed under Section 41-A(a) for a first violation voluntarily disclosed and cured within thirty (30) days.

The amnesty under this Section shall not extend to a person against whom a Firearm Safety Protection Order is in force, to a prohibited

person other than one whose disqualification consists solely of an expired license or registration, or to a firearm identified in the national database as lost, stolen, or used in the commission of a crime.

Certified secure storage devices and locking devices conforming to the standards under Section 28 of the Safe Firearm Storage and Anti-Firearm Negligence Act shall, for a period of five (5) years from the effectivity of that Act, be exempt from the value-added tax and from customs duties, subject to the rules of the Bureau of Internal Revenue and the Bureau of Customs. The Department of Trade and Industry shall monitor the retail price of such devices and shall report to the Congressional Oversight Committee any increase attributable to the exemption.

No license shall be revoked, and no criminal liability shall attach under Section 41-A(a), by reason of a licensee's inability to acquire a secure storage device where the licensee has applied for a subsidy under Section 42-C(c) and the application remains unacted upon, or where the subsidy has been granted but the device has not yet been delivered."

SEC. 26. School-Based Firearm Violence Prevention and Mental Health Support.

— The Department of Education (DepEd) and the Commission on Higher Education (CHED), in coordination with the Department of Health (DOH), the Department of Social Welfare and Development (DSWD), and the PNP, shall integrate into the basic and higher education systems, and shall require of all public and private educational institutions, the following, which shall be implemented through and consistently with Republic Act No. 11036, Republic Act No. 10627, and Republic Act No. 7610, and shall not duplicate existing programs thereunder:

- (a) **Mental health support for students.** Accessible counseling and psychological services, with protocols for the early identification of students experiencing psychological distress, severe bullying, suicidal ideation, violent ideation, or trauma, and for referral to appropriate medical or psychological intervention. Participation shall be voluntary and confidential, and no student shall be excluded, disciplined, or stigmatized by reason of having sought or received such services.
- (b) **Capacity building for teachers and school personnel.** A continuing training program for teachers, school administrators, guidance

counselors, and non-teaching personnel on: recognizing early warning signs of a mental health crisis or of a risk of violence; crisis intervention, de-escalation, and trauma-informed care; conducting dialogues with parents and guardians on responsible firearm ownership and on the duties imposed by Section 9-A of Republic Act No. 10591, as amended; and standardized emergency and lockdown protocols and reporting mechanisms coordinated with local law enforcement and child protection agencies.

- (c) **Behavioral threat assessment.** A multidisciplinary behavioral threat assessment and management team in every secondary school and higher education institution, or shared among schools within a division or district where the enrollment does not warrant a dedicated team, operating under guidelines issued jointly by DepEd, CHED, DOH, and DSWD which shall protect against discrimination, profiling, and the criminalization of students, and which shall provide for support and referral rather than exclusion as the primary response.
- (d) **Anonymous reporting.** A confidential and anonymous reporting facility through which students, parents, and personnel may report threats, the presence of a firearm on school premises, or concern for a student at risk, with a protocol for prompt assessment and response, immunity for good-faith reports, and sanctions for knowingly false reports.
- (e) **Parental notification on safe storage.** At the beginning of every school year, every school shall furnish parents and guardians a written notice, in English and Filipino or the local language, describing the duties imposed by Section 9-A of Republic Act No. 10591, as amended, the penalties under Section 41-A thereof, and the availability of safekeeping under Section 40-B thereof, and shall require a written acknowledgment of receipt.
- (f) **Online radicalization and grooming.** In coordination with the PNP, the National Bureau of Investigation, the Cybercrime Investigation and Coordinating Center, and the Council for the Welfare of Children, a component on the recognition of and response to the

online grooming and radicalization of minors toward violence, and on referral pathways for affected children and their families.

No provision of this Section shall be implemented as an unfunded mandate. The cost of compliance by public schools shall be charged against the appropriations under Section 32 and against the Fund under Section 42-C of Republic Act No. 10591, as amended. Private educational institutions shall be afforded a period of two (2) years within which to comply and shall be eligible for technical assistance from DepEd, CHED, and DOH.

SEC. 27. Public Information Campaign. — The PNP, in coordination with the Presidential Communications Office, the DOH, the DILG, the DepEd, and the Philippine Information Agency, shall conduct a sustained nationwide public information campaign, in English, Filipino, and the major regional languages, on the duties imposed by this Act, the availability of safekeeping and of Firearm Safety Protection Orders, the risk of firearm suicide and of unauthorized access by children, and the availability of mental health crisis services. The campaign shall be designed in consultation with licensed firearm owners' organizations, mental health professionals, victims' groups, and child protection organizations, and shall be conducted in a manner that does not stigmatize the seeking of mental health care.

SEC. 28. Minimum Performance Standards. — Within ninety (90) days from the effectivity of this Act, the FEO-PNP shall, after public consultation, publish minimum performance standards for secure storage devices, quick-access secure storage devices, locking devices, vehicle storage, armories, training curricula and examinations, instructor and inspector accreditation, and compliance documentation, together with the procedure for the certification and testing of devices and for the recognition of certifications issued by accredited foreign or international testing bodies.

The standards issued under this Section may supplement the requirements prescribed in Section 3-A of Republic Act No. 10591, as amended, and may recognize additional devices and technologies as compliant, but shall not diminish, relax, or dispense with any requirement prescribed by that Section, and shall not define, expand, or modify the elements of any offense under this Act. No penal liability shall attach by reason of non-compliance with a standard issued under this Section that is not also a requirement prescribed by statute.

A revision of the standards shall apply prospectively only. A device certified as compliant at the time of its acquisition shall be deemed compliant for a period of

ten (10) years from acquisition notwithstanding a subsequent revision of the standards, unless the FEO-PNP determines, after notice and hearing, that the device presents a specific and serious risk of defeat, in which case it shall provide for a replacement program funded under Section 42-C.

SEC. 29. Annual Report; Program Review. — The PNP shall submit to the President and to Congress, within ninety (90) days from the end of every calendar year, a report on the implementation of this Act, including the number of certifications filed, inspections conducted, deficiencies cured, licenses suspended and revoked, petitions for Firearm Safety Protection Orders filed and granted, firearms deposited and surrendered, prosecutions commenced and concluded under Sections 41 to 41-C of Republic Act No. 10591, as amended, and the data compiled under Section 42-A(e) thereof.

Not later than five (5) years from the effectivity of this Act, the Congressional Oversight Committee shall conduct a comprehensive review of its operation, with particular attention to the adequacy and proportionality of the penalties, the accessibility and cost of compliance, the operation of the Firearm Safety Protection Order, and the effect of the Act on firearm-related deaths and injuries, and shall report its findings and recommendations to both Houses.

SEC. 30. Appropriations. — The amount necessary for the initial implementation of this Act shall be charged against the current appropriations of the Philippine National Police, the Department of Health, the Department of Education, the Commission on Higher Education, the Department of the Interior and Local Government, the Department of Social Welfare and Development, and the Judiciary. Thereafter, such sums as may be necessary for its continued implementation shall be included in the annual General Appropriations Act, in addition to the Firearm Safety and Violence Prevention Fund established under Section 42-C of Republic Act No. 10591, as amended.

SEC. 31. Implementing Rules and Minimum Standards. — Within one hundred twenty (120) days from the effectivity of this Act, the Chief of the PNP, after public hearings and consultation with the Department of Justice, Department of the Interior and Local Government, Department of Social Welfare and Development, Department of Health, National Privacy Commission, Bureau of Customs, Armed

Forces of the Philippines, licensed owners, child-safety and victims' groups, firearm-safety experts, and other concerned sectors, shall promulgate the rules necessary to implement this Act.

Within ninety (90) days from the effectivity of this Act, the FEO-PNP shall publish minimum performance standards for secure storage devices, vehicle storage, training curricula, examinations, instructor accreditation, and compliance documentation.

SEC. 32. Transitory Provisions. — New applicants shall comply upon publication of the minimum standards. Existing licensees shall acquire and use compliant secure storage within one hundred eighty (180) days from publication of the standards and shall complete the refresher course at the first renewal after effectivity. No criminal penalty shall apply to conduct completed before effectivity, and no liability based on noncompliance with the new storage requirements shall attach before expiration of the applicable compliance period.

SEC. 33. Separability Clause. — If any provision of this Act or its application to any person or circumstance is declared unconstitutional or invalid, the remainder of this Act and the application of the provision to other persons or circumstances shall not be affected.

SEC. 34. Repealing Clause. — All laws, decrees, executive orders, administrative issuances, rules, and regulations, or parts thereof, inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SEC. 35. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation

Approved,