

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

THIRTEENTH CONGRESS
Second Regular Session

4826

HOUSE BILL NO.

(In substitution of House Bill Nos. 6, 10, 46, 230, 258, 364, 373, 1249, 1320, 2290, 2638, 2833, 2931, 3030, 3318, 3421 and House Resolution No. 49)

Introduced by Representatives Salacnib F. Baterina, Eduardo V. Roquero, Edcel C. Lagman, Rene B. Magtubo, Emilio C. Macias II, Rene M. Velarde, Christian M. Sañeres, Rodriguez D. Dadvivas, Roseller L. Barinaga, Rodolfo C. Bacani, Loretta Ann P. Rosales, Mario J. Aguja, Cecilia G. Jalosjos-Carreon, Cesar G. Jalosjos, Abraham Kahlil B. Mira, Tranquilino B. Carmona, Robert "Dodot" Jaworski, Jr., Mary Ann L. Susano, Lorenzo R. Tañada III, Roger G. Mercado, Douglas RA Cagas, Satur Ocampo, Teodoro A. Casifio, Gilbert C. Toodoro, Edgar M. Chatto, Eduardo C. Zialcita, Eulogio R. Magaysay, Anna Theresia Hontiyeros-Baraquiell, Jose O. Virador, Liza L. Maza, Raul T. Gonzalez Jr., Oscar L. Gozos, Crispin V. Beltran and Rafael V. Mariano, Nerissa Corazon Soñ-Ruiz, Jesus Crispin Remulla, Vincent "Bingbong" P. Crisologo, Judy J. Syjuco, Rodante D. Marcoleta and Solomon R. Chungalao.

AN ACT
PROHIBITING THE IMPOSITION OF DEATH PENALTY IN THE
PHILIPPINES

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

1 **SECTION 1.** The imposition of death, as a penalty, is hereby prohibited. For
2 this purpose, Articles 25, 40, 70, 71, 74 of the Revised Penal Code are repealed,
3 amended or modified accordingly in so far as they impose the penalty of death.
4 Should the death penalty be provided as the sole and mandatory penalty in a special
5 statute or in the Revised Penal Code, the penalty shall be substituted with that of
6 reclusion perpetua or life imprisonment, as the case may be.

7

1 SEC. 2. Article 63 of the Revised Penal Code is hereby amended to read as
2 follows;

3
4 "Article 63. Rules for the Application of Indivisible Penalties. – In all cases in
5 which the law prescribes a single indivisible penalty, it shall be applied by the courts
6 regardless of any mitigating or aggravating circumstances that may have attended the
7 commission of the deed."

8
9 | In all cases in which the law prescribes a penalty composed of two
10 indivisible penalties, the following rules shall be observed in the application thereof:

- 11 1. When in the commission of the deed there is present only one
12 aggravating circumstance, the greater penalty shall be applied.
- 13 2. When there are neither mitigating nor aggravating circumstances in
14 the commission of the deed, the lesser penalty shall be applied.
- 15 3. When the commission of the act is attended by some mitigating
16 circumstances and there is no aggravating circumstances, the lesser
17 penalty shall be applied.
- 18 4. When both mitigating and aggravating circumstances attended the
19 commission of the act, the courts shall reasonably allow them to
20 offset one another in consideration of their number and importance
21 with the preceding rules, according to the result of such
22 compensation. |

23
24 SEC. 3. Republic Act No. 7659, as amended by Republic Act No. 8177, and
25 all other laws, inconsistent with this Act are likewise repealed or amended
26 accordingly.

27
28 SEC. 4. This Act shall take effect fifteen (15) days after its publication in two
29 (2) newspapers of national circulation.

30
31 Approved,