

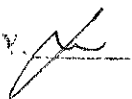
FIFTEENTH CONGRESS OF THE REPUBLIC  
OF THE PHILIPPINES  
FIRST REGULAR SESSION



SENATE

'11 FEB 14 P3:15

S.B. No. 2694

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Introduced by: **SEN. RAMON BONG REVILLA, JR.**

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**EXPLANATORY NOTE**

I firmly uphold our State's policy for justice and reform with the end in view of the rehabilitated individual's eventual reintegration into society. Our justice system punishes criminals by imprisonment, the period of which is based on what the court feels is proportional to the crime committed. It is with this in mind that I have crafted this Bill which seeks to require Community Service in lieu of imprisonment for the penalty of Arresto Menor.

Community Service would be more appropriate and ideal punishment for criminals who have committed what the State considers as a minor offense. Since the aim is for reintegration into society, nothing could be more apt than having the individual directly serve the community. This shall not only reform but also help to alleviate the criminal's conscience by letting him feel he has rectified himself by giving back to the society he has wronged.

This shall also help to minimize the already overcrowded prisons. At present, the New Bilibid Prison which only has the capacity for 8,700 prisoners is housing more than 21,000. I believe that we can help lessen the burden of the prison system by making the punishment for Arresto Menor Community Service instead of housing them in a penal facility.

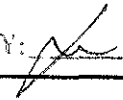
Hence, the passage of this bill is earnestly sought.

  
RAMON BONG REVILLA, JR.

SENATE

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Introduced by Honorable Ramon Bong Revilla, Jr.

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**AN ACT AUTHORIZING THE COURT TO REQUIRE COMMUNITY SERVICE IN LIEU OF IMPRISONMENT FOR THE PENALTY OF *ARRESTO MENOR*, AMENDING FOR THE PURPOSE CHAPTER FIVE, TITLE THREE, BOOK ONE OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE**

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

SECTION 1. Chapter 5, Title 3, Book 1 of Act No. 3815, as amended, otherwise known as the Revised Penal Code, is hereby further amended to include an additional article to read as follows:

**"ART. 88-A. *COMMUNITY SERVICE*. - THE COURT MAY, IN LIEU OF SERVICE IN JAIL, *MOTU PROPRIO*, REQUIRE THAT THE PENALTIES OF *ARRESTO MENOR* BE SERVED BY THE DEFENDANT BY RENDERING COMMUNITY SERVICE IN THE PLACE WHERE THE CRIME WAS COMMITTED, UNDER SUCH TERMS AS THE COURT SHALL DETERMINE AND UNDER THE SURVEILLANCE OF THE BARANGAY CAPTAIN OF THE COMMUNITY OR A PROBATION OFFICER. FURTHER, THE ABOVEMENTIONED DEFENDANT SHALL BE SUBJECTED TO REHABILITATIVE COUNSELING.**

**"IN REQUIRING COMMUNITY SERVICE, THE COURT SHALL CONSIDER THE WELFARE OF THE SOCIETY AND THE REASONABLE PROBABILITY THAT THE PERSON SENTENCED SHALL REMAIN AT LIBERTY WITHOUT VIOLATING THE LAW.**

**"COMMUNITY SERVICE SHALL CONSIST OF ANY ACTUAL PHYSICAL ACTIVITY WHICH INCULCATES CIVIC CONSCIOUSNESS, AND IS INTENDED TOWARDS THE IMPROVEMENT OF A PUBLIC WORK OR PROMOTION OF A PUBLIC SERVICE."**

**"SHOULD THE PERSON SENTENCED VIOLATE THE TERMS FOR RENDERING COMMUNITY SERVICE, THE COURT SHALL ORDER HIS RE-ARREST AND THE PENALTY SHALL BE SERVED IN JAIL. SHOULD THE PERSON SENTENCED COMPLY WITH THE TERMS FOR RENDERING COMMUNITY SERVICE, THE COURT SHALL RENDER AN ORDER THAT SENTENCE HAS BEEN FULLY SERVED.**

**"THE PRIVILEGE OF RENDERING COMMUNITY SERVICE IN LIEU OF SERVICE IN JAIL SHALL BE AVAILED OF ONLY ONCE."**

**SEC. 2. *Implementing Rules and Regulations (IRR).*** The Department of Justice and the Department of Social Welfare and Development shall issue the rules and regulations for the implementation of the provisions of this Act within ninety (90) days from its effectivity.

**SEC. 3. *Separability Clause.*** - If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

**SEC. 4. *Repealing Clause*** – Chapter 5, Title 3, Book 1 of the Revised Penal Code is hereby amended and any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

**SEC. 5. *Effectivity Clause*** – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspaper of general circulation.

Approved,