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S E N A T E

COMMITTEE REPORT NO. 580

Submitted jointly by the Committees on Public Order and Dangerous Drugs; and Justice and Human Rights on JAN 31 2022.

Re: Senate Bill No. 2501.

Recommending its approval in substitution of Senate Bill Nos. 722 and 1531 taking into consideration House Bill No. 6123

Sponsor: Ronald "Bato" Dela Rosa

MR. PRESIDENT:

The Committees on Public Order and Dangerous Drugs; and Justice and Human Rights to which were referred **Senate Bill No. 722**, introduced by Senator Win Gatchalian, entitled:

**"AN ACT
PROVIDING FOR STIFFER PENALTIES FOR WILFUL OR
INDISCRIMINATE DISCHARGE OF FIREARMS, AMENDING FOR
THE PURPOSE ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN
AS THE REVISED PENAL CODE"**

and **Senate Bill No. 1531**, introduced by Senator Ramon Bong Revilla, Jr., entitled:

"AN ACT

**DEFINING THE OFFENSES OF DISCHARGE OF FIREARMS AND
INDISCRIMINATE FIRING OF FIREARMS AND PROVIDING
STIFFER PENALTIES THEREFOR, AMENDING FOR THE PURPOSE
ARTICLE 254 OF ACT NO. 3815, AS AMENDED, OTHERWISE
KNOWN AS THE REVISED PENAL CODE AND REPUBLIC ACT NO.
10591, OTHERWISE KNOWN AS THE COMPREHENSIVE FIREARMS
AND AMMUNITION REGULATION ACT"**

taking into consideration **House Bill No. 6123**, introduced by Representatives Acop, Bravo, Plaza, Revilla, Mariano-Hernandez, Loyola, Ebcas, Cabochan, Teves (A.), Bordado, Paduano and Romualdez (F.M.), entitled:

"AN ACT

**DEFINING THE OFFENSES OF DISCHARGE OF FIREARMS AND
INDISCRIMINATE FIRING OF FIREARMS AND PROVIDING
STIFFER PENALTIES THEREFOR, AMENDING FOR THE PURPOSE
ARTICLE 254 OF ACT NO. 3815, AS AMENDED, OTHERWISE
KNOWN AS "THE REVISED PENAL CODE", AND REPUBLIC ACT NO.
10591, OTHERWISE KNOWN AS THE 'COMPREHENSIVE
FIREARMS AND AMMUNITION REGULATION ACT'"**

have considered the same and have the honor to report them back to the Senate with the recommendation that the attached **Senate Bill No. 2501**, prepared by the Committees, entitled:

"AN ACT

**PENALIZING WILFUL AND INDISCRIMINATE DISCHARGE OF
FIREARMS, AMENDING FOR THE PURPOSE ACT NO. 3815, AS
AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE"**

be approved in substitution of Senate Bill Nos. 722 and 1531, taking into consideration House Bill No. 6123, with Senators Gatchalian, Revilla Jr., Dela Rosa and Gordon as authors thereof.

Respectfully submitted:

Chairpersons



SEN. RONALD BATO DELA ROSA
Committee on Public Order and Dangerous Drugs
Member, Committee on Justice and Human Rights



SEN. RICHARD J. GORDON
Committee on Justice and Human Rights
Member, Committee on Public Order and Dangerous Drugs

Vice-Chairpersons



CHRISTOPHER BONG GO
Committee on Public Order and
Dangerous Drugs

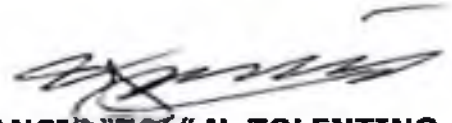
PANFILO M. LACSON

Committees on Public Order and
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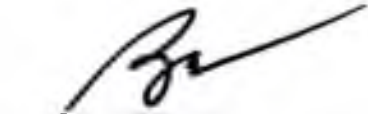
EMMANUEL D. PACQUIAO
*Committees on Public Order and
Dangerous Drugs; and Justice and
Human Rights*



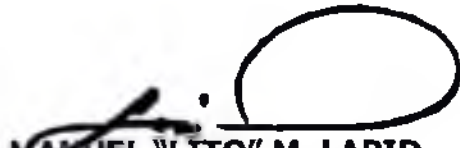
FRANCIS "TOL" N. TOLENTINO
*Committee on Public Order and
Dangerous Drugs*

LEILA M. DE LIMA

*Committee on Public Order and
Dangerous Drugs*



RAMON BONG REVILLA, JR.
*Committee on Public Order and
Dangerous Drugs*



MANUEL "LITO" M. LAPID
Committee on Justice and Human Rights



RISA HONTIVEROS
*Committees on Public Order and
Dangerous Drugs; and Justice and
Human Rights*



AQUILINO Q. PIMENTEL III
Committee on Justice and Human Rights



SONNY ANGARA
*Committee on Justice and Human
Rights*

FRANCIS "KIKO" N. PANGILINAN
Committee on Justice and Human Rights

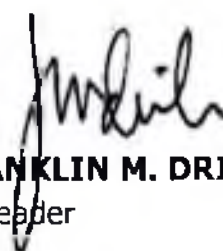
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SENATE

S.B. No. 2501

REC'D



(In Substitution of Senate Bills Nos. 722, 1531, and taking into consideration of House Bill No. 6123)

Prepared jointly by the Committee on Public Order and Dangerous Drugs; and the Committee on Justice and Human Rights with Senators Gatchalian, Revilla Jr., Dela Rosa and Gordon as authors thereof

**AN ACT
PENALIZING WILFUL AND INDISCRIMINATE DISCHARGE OF FIREARMS,
AMENDING FOR THE PURPOSE ACT NO. 3815, AS AMENDED, OTHERWISE
KNOWN AS THE REVISED PENAL CODE**

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

1 **SECTION 1.** Article 155 of Act No. 3815 as amended, is hereby amended to read as
2 follows:

3 "ART. 155. *Alarms and Scandals.* - The penalty of *arresto menor* or a fine not
4 exceeding Forty thousand pesos (P 40,000) shall be imposed upon:

- 5 1. Any person who within any town or public place, shall discharge any
6 [~~firearm,~~] rocket, firecracker, or other explosives calculated to cause
7 alarm or danger;
8 xxx"

9 **SEC. 2.** Article 254 of the same Act is also hereby amended to read as follows:

10 "ART. 254. *Discharge of Firearms.* -

1 **A)** Any person who shall shoot at another with any firearm shall suffer the
2 penalty of *prision correccional* in its minimum and medium periods, unless
3 the facts of the case are such that the act can be held to constitute frustrated
4 or attempted parricide, murder, homicide, or any other crime for which a
5 higher penalty is prescribed by any of the articles of this Code.

6 **B) ANY PERSON WHO SHALL WILFULLY AND INDISCRIMINATELY**
7 **DISCHARGE ANY FIREARM OR OTHER DEVICE THAT MAY NOT HAVE**
8 **BEEN DESIGNED AS FIREARM BUT CAN BE FUNCTIONALLY USED AS**
9 **A FIREARM, SHALL SUFFER THE PENALTY OF ARRESTO MAYOR IN**
10 **ITS MAXIMUM PERIOD, UNLESS THE FACTS OF THE CASE CAN BE**
11 **HELD TO CONSTITUTE ANY OTHER OFFENSE OF WHICH A HIGHER**
12 **PENALTY IS PRESCRIBED.**

13 **C) IF THE PERSON WHO COMMITS THE OFFENSE PROVIDED IN**
14 **THIS ARTICLE IS A MEMBER OF THE MILITARY AND MILITARY**
15 **AUXILLARY AGENCIES, OR LAW ENFORCEMENT AGENCIES,**
16 **AUTHORIZED TO BEAR FIREARMS AND SUCH DISCHARGE IS NOT**
17 **IN THE PERFORMANCE OF OFFICIAL DUTIES, THE PENALTY ONE**
18 **DEGREE HIGHER THAN THAT PRESCRIBED ABOVE SHALL BE**
19 **IMPOSED AND THE OFFENDER MAY BE HELD ADMINISTRATIVELY**
20 **LIABLE.**

21 **IN ADDITION, TO THE PENALTIES IMPOSED HEREIN, ANY**
22 **FIREARM LICENSE OR PERMIT ISSUED IN FAVOR OF THE**
23 **OFFENDER SHALL BE SUMMARILY CANCELLED, AND THE OFFENDER**
24 **SHALL BE PERPETUALLY DISQUALIFIED FROM BEING GRANTED**
25 **ANY FIREARM LICENSE OR PERMIT."**

1 **SEC. 3. *Separability Clause.*** - If any provision or part of this Act is held invalid or
2 unconstitutional, other provisions not affected thereby shall remain valid and subsisting.

3 **SEC. 4. *Repealing Clause.*** - All laws, orders, proclamations, rules and regulations, or
4 part thereof, which are inconsistent with any provision of this Act are hereby repealed or
5 modified accordingly.

6 **SEC. 5. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in
7 the *Official Gazette* or a newspaper of general circulation.

Approved,