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SENATE

COMMITTEE REPORT NO. 237

Submitted by the Committee on Justice and Human Rights on ___DEC 1 7 2008___
Re: Senate Bill No. _2975_ .

Recommending its approval in substitution of Senate Bill No. 1127.

Sponsors: Senator Escudero.

MR. PRESIDENT:

The Committees on Justice and Human Rights to which was referred Senate Bill No. 1127, introduced by Sen. Defensor Santiago, entitled:

"AN ACT
AMENDING SECTION 2 OF ACT NO. 4103 ALSO KNOWN AS THE
INDETERMINATE SENTENCE LAW, AS AMENDED"

has considered the same and has the honor to report it back to the Senate with the recommendation that the attached bill, Senate Bill No. _2975_, prepared by the Committee, entitled:

"AN ACT
AMENDING SECTION 2 OF ACT NO. 4103, AS AMENDED,
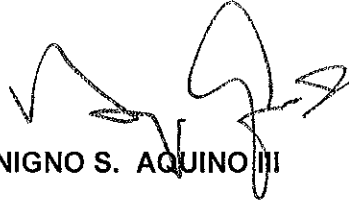### OTHERWISE KNOWN AS THE INDETERMINATE SENTENCE LAW"

be approved in substitution of Senate Bill No. 1127 with Senators Defensor Santiago and Escudero as authors thereof.

Respectfully Submitted:

FRANCIS "CHIZ" G. ESCUDERO
Chairman, Committee on Justice and Human Rights

Vice-Chairman:

BENIGNO S. AQUINO III

Members:

ALAN PETER "COMPAÑERO"
S. CAYETANO

GREGORIO B. HONASAN II

RODOLFO G. BIAZON

"COMPAÑERA" PIA S. CAYETANO

RAMON BONG REVILLA, JR.

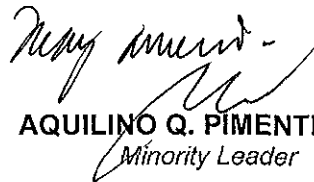**JUAN PONCE ENRILE**

M.A. MADRIGAL

Ex-Officio Members:

JINGGOY EJERCITO ESTRADA
President Pro-Tempore

FRANCIS N. PANGILINAN
Majority Leader

AQUILINO Q. PIMENTEL JR.
Minority Leader

Hon. JUAN PONCE ENRILE
Senate President
Senate of the Philippines
Pasay City

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

S E N A T E   RECEIVED BY

S. No. __2975__

(In substitution of SB No. 1127)

Prepared by the Committee on Justice and Human Rights with Senators Defensor Santiago and Escudero as authors thereof

AN ACT
AMENDING SECTION 2 OF ACT NO. 4103, AS AMENDED, OTHERWISE KNOWN AS THE INDETERMINATE SENTENCE LAW

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

1   SECTION 1. Section 2 of Act No. 4103, as amended, otherwise known as the

2   Indeterminate Sentence Law, is hereby further amended to read as follows:

3   Sec. 2. This Act shall not apply to persons convicted of offenses punished with

4   death penalty or life-imprisonment; to those convicted of treason, conspiracy or

5   proposal to commit treason; to those convicted of misprision of treason, rebellion,

6   sedition or espionage; to those convicted of piracy; TO THOSE CONVICTED OF

7   CRIMINAL OFFENSES AGAINST A MINOR, WHICH IS COMPARABLE TO OR

8   EXCEEDS ANY OF THE FOLLOWING: KIDNAPPING OF A MINOR, EXCEPT BY

9   A PARENT; FALSE IMPRISONMENT OF A MINOR, EXCEPT BY A PARENT;

10   CRIMINAL SEXUAL CONDUCT TOWARD A MINOR; SOLICITATION OF A

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1 MINOR TO ENGAGE IN SEXUAL CONDUCT; USE OF A MINOR IN A SEXUAL

2 PERFORMANCE; SOLICITATION OF A MINOR TO PRACTICE PROSTITUTION;

3 ANY CONDUCT THAT BY ITS NATURE IS A SEXUAL OFFENSE AGAINST A

4 MINOR; AND PRODUCTION OR DISTRIBUTION OF CHILD PORNOGRAPHY; to

5 those who are habitual delinquents; to those who have escaped from confinement or

6 evaded sentence; to those who having been granted conditional pardon by the Chief

7 Executive shall have violated the terms thereof; to those whose maximum term of

8 imprisonment does not exceed one year, not to those already sentenced by final

9 judgment at the time of approval of this Act, except as provided in Section 5 hereof.

10 SEC. 2. *Separability Clause.* - If any provision of this Act is held invalid or

11 unconstitutional, the remainder of the Act or the provision not otherwise affected

12 shall remain valid and subsisting.

13 SEC. 3. *Repealing Clause.* - Any law, presidential decree or issuance, executive

14 order, letter of instruction, administrative rule or regulation contrary to or

15 inconsistent with the provisions of this Act is hereby repealed, modified or amended

16 accordingly.

17 SEC. 4. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its

18 publication in the Official Gazette or at least two (2) newspapers of general

19 circulation.

20 Approved,