

FIFTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

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SENATE  
S. B. No. 2367

Francis G. Escudero

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Introduced by Senator FRANCIS G. ESCUDERO

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**EXPLANATORY NOTE**

The Revised Penal Code lists some minor felonies, offenses, and infractions which cause little or no damage to persons, property and community, and which are often motivated not by malice but by some psychological disorders that should be addressed with treatment, rather than with punishment.

One good example is vagrancy, penalized under Article 202 of the Revised Penal Code, which fails to see that vagrants are victims of poverty and the lack of opportunities for employment and access to decent standards of living and quality of life.

This bill seeks to decriminalize the above offense in order to decongest the load of the justice system, allow our law enforcement officers to pay more attention to graver offenses, and improve the administration of justice in our land. This measure also seeks to give a more humane countenance on our justice system, which prioritizes the rehabilitation of the offender and acknowledges the value of every human life.

In view of the foregoing, early passage of this bill is earnestly requested.



FRANCIS G. ESCUDERO

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AN ACT  
DECRIMINALIZING VAGRANCY AMENDING FOR THIS  
PURPOSE ARTICLE 202 OF REPUBLIC 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:

1           **SECTION 1.** Article 202 of the Revised Penal Code is hereby amended to  
2 read as follows:

3  
4           "Article 202. [Vagrants and p] Prostitutes; *penalty*. - [The following are  
5 vagrants:

- 6           1. Any person having no apparent means of subsistence, who has the  
7 physical ability to work and who neglects to apply himself or herself to  
8 some lawful calling;  
9           2. Any person found loitering about public *or* semi-public buildings or  
10 places or tramping or wandering about the country or the streets  
11 without visible means of support;  
12           3. Any idle or dissolute person who lodges in houses of ill-fame;  
13 ruffians or pimps and those who habitually associate with prostitutes;  
14           4. Any person who, not being included in the provisions of other  
15 articles of this Code, shall be found loitering in any inhabited or  
16 uninhabited place belong to another without any lawful or justifiable  
17 purpose;  
18           5. prostitutes. ]

19  
20           For the purposes of this article, women who, for money or  
21 profit, habitually indulge in sexual intercourse or lascivious conduct,  
22 are deemed to be prostitutes.

23  
24           Any person found guilty [of any] of the offense[s] covered by  
25 this article shall be punished by *arresto menor* or a fine not exceeding  
26 200 pesos, and in case of recidivism, by *arresto mayor* in its medium  
27 period to *prision coveccional* in its minimum period or a fine ranging  
28 from 200 to 2,000 pesos, or both, in the discretion of the court.  
29

1           **SEC. 2. *Effect on Pending Cases.*** All pending cases under the provisions of  
2 Article 202 of the Revised Penal Code prior to its amendment by this Act shall be  
3 dismissed upon effectivity of this Act.

4  
5           **SEC. 3. *Immediate Release of Convicted Persons.*** All persons serving sentence for  
6 violation of the provisions of Article 202 of the Revised Penal Code prior to its  
7 amendment by this Act shall be immediately released upon effectivity of this Act,  
8 provided that they are not serving sentence or detained for any other offense or  
9 felony.

10  
11           **SEC. 4. *Repealing Clause.*** All laws, presidential decrees, executive orders, rules  
12 and regulations, and other issuances, or any parts thereof, inconsistent with this Act,  
13 are hereby repealed, modified or amended accordingly.

14  
15           **SEC. 5. *Effectivity Clause.*** This Act shall take effect fifteen (15) days after its  
16 publication in at least two (2) newspapers of general circulation.

*Approved,*