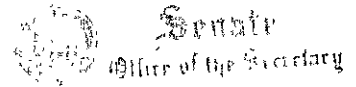



FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



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SENATE

RECEIVED BY: 

S. B. No. 3077

Prepared by the Committees on Justice and Human Rights *and* Constitutional Amendments, Revision of Codes and Laws with Senators Estrada, Villar, Escudero and Defensor-Santiago as authors thereof.

AN ACT
CRIMINALIZING NECROPHILIA OR CARNAL KNOWLEDGE WITH THE DEAD
AND IMPOSING APPROPRIATE PENALTIES THEREOF, INCORPORATING FOR
THIS PURPOSE ARTICLE 335-A INTO 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. There shall be incorporated after Article 335 of Act No. 3815, as
2 amended, otherwise known as "the Revised Penal Code", a new article which shall read
3 as follows:

4 "Art. 335-A. **NECROPHILIA. PENALTY. NECROPHILIA IS COMMITTED**
5 **BY A PERSON WHO ENGAGES IN SEXUAL ACTS WITH A CORPSE.**

6 FOR PURPOSES OF THIS ARTICLE, SEXUAL ACTS SHALL MEAN
7 ENGAGING IN SEXUAL INTERCOURSE, ANAL AND/OR ORAL SEX.

8 PERSONS FOUND GUILTY OF NECROPHILIA SHALL SUFFER THE
9 PENALTY OF RECLUSION TEMPORAL TO RECLUSION PERPETUA AND A FINE
10 OF ONE HUNDRED THOUSAND PESOS (P100,000.00) TO FIVE HUNDRED
11 THOUSAND PESOS (P500,000.00) AT THE DISCRETION OF THE COURT.

12 WHENEVER THE CRIME OF NECROPHILIA IS COMMITTED BY
13 TWO (2) OR MORE PERSONS, OR BY ANY PERSON IN WHOSE CARE OR

1 CUSTODY SUCH CORPSE IS FOUND, THE PENALTY SHALL BE *RECLUSION*
2 *PERPETUA*.

3 *PROVIDED, THAT THE CORPSE OR THE BODY OF THE DECEASED*
4 *SHALL NOT BE HELD LONGER THAN IS NECESSARY TO GATHER EVIDENCE*
5 *TO PROSECUTE THE COMMISSION OF THE CRIME.*

6
7 *SEC. 2. Separability Clause.* - If any portion or provision of this Act is declared
8 void or unconstitutional, the remaining portions or provisions hereof shall not be
9 affected by such declaration.

10

11 *SEC. 3. Repealing Clause.* - All laws, decrees, orders, rules and regulations, other
12 executive issuances, or parts thereof inconsistent with the provisions of this Act are
13 hereby repealed, modified and amended accordingly.

14

15 *SEC. 4. Effectivity.* - This Act shall take effect fifteen (15) days after its complete
16 publication in the Official Gazette or in at least two (2) newspapers of general
17 circulation.

18 *Approved,*