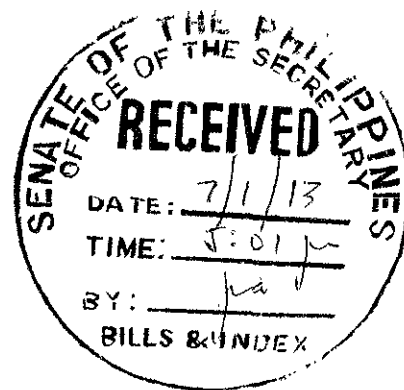


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



SENATE
S. B. No. 230

Introduced by Senator Maria Lourdes Nancy S. Binay

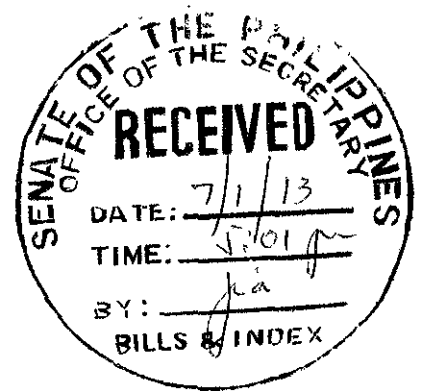
EXPLANATORY NOTE

The proposed bill seeks to prevent sex offenders from gaining access to schools, in order to protect school children from becoming possible victims of sexual offenses and provides penalties for the violation thereof.


MARIA LOURDES NANCY S. BINAY
Senator

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

SENATE
S.B. No. 230



Introduced by Senator Lourdes Nancy S. Binay

AN ACT TO PROTECT THE SAFETY, MORALS, AND WELL-BEING OF SCHOOL CHILDREN BY PROHIBITING LISTED SEX OFFENDERS FROM ENTERING, SCHOOL PREMISES OR SCHOOL ACTIVITIES, AND FOR OTHER PURPOSES

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

1 **SECTION 1.** *Title.* – This Act shall be known as “*Sex Offenders School Access Prohibition*
2 *Act of 2013.*”

3 **SECTION 2.** *Sex Offender.* – Sex offender shall refer to any person who has been convicted
4 by final judgment of a sexual offense as defined by any of the following provisions of the
5 Revised Penal Code, irrespective of completion of sentence:

- 6 (a) Rape, as defined in Article 266-A of the Revised Penal Code;
- 7 (b) Acts of lasciviousness, as defined Article 336 of the Revised Penal Code;
- 8 (c) Qualified seduction, as defined in Article 337 of the Revised Penal Code;
- 9 (d) Simple seduction, as defined in Article 338 of the Penal Code;
- 10 (e) Acts of lasciviousness with the consent of the offended party as defined in Article 339
11 of the Revised Penal Code;
- 12 (f) Corruption of minors as defined in Article 340 of the Revised Penal Code;
- 13 (g) White slave trade as defined Article 341 of the Revised Penal Code

14 **SECTION 3.** *Duty of Bureau of Jail Management and Penology.* – The local Bureau of Jail
15 Management and Penology shall submit to the Department of Education (hereinafter referred
16 to as DepEd) Division Superintendent and the National Bureau of Investigation (NBI) a list
17 of sexual offenders who have been released or are being placed under parole or probation
18 within one (1) month from the release or placement under parole or probation of the sexual
19 offender concerned. The DepEd Division Superintendent shall thereafter distribute copies of
20 the aforementioned list to every school under its jurisdiction.

21 **SECTION 4.** *Duties of Sexual Offender.* – It shall be the duty of each sexual offender who
22 has been released or is under parole or probation to update the NBI with his current address
23 on or before the 31st of January of every year for the rest of his life. Failure on the part of the
24 sexual offender to update the NBI shall result in the revocation of probation or the deferment
25 of parole until such time that the sexual offender shall comply with the foregoing
26 requirement.

1 **SECTION 5. School Access**

2 1) If a person is currently listed as sex offender as provided by Section 2 of this Act, it
3 shall be unlawful for such person to:

4 (a) Enter or to remain inside the premises of any public or private high school and
5 of any public or private elementary school, day care center, or any other
6 preparatory building, or school grounds, other than to drop off or pick up the
7 person's own child or children;

8 (b) Loiter on a public way within five hundred (500) feet of a school building or
9 school grounds when children eighteen (18) years of age and under are present
10 and are involved in a school activity or when children are present within one
11 hour (1) hour before and after a scheduled school activity;

12 (c) Ride in any conveyance owned, leased or contracted by a school to transport
13 students to or from school or a school related activity when children eighteen
14 (18) years of age and under are present in such conveyance;

15 (d) Reside within three hundred (300) meters of the property on which a school is
16 located; and

17 (e) Loiter within three hundred (300) meters of any place wherein a school-related
18 activity is being conducted outside the school building or school grounds.
19

20 2) Nothing in this section shall prevent DepEd or the school itself from adopting more
21 stringent safety and security requirements for their respective employees and non-
22 employees while they are in school facilities.

23 **SECTION 6. Report of School Principals.** – School principals shall immediately report to
24 law enforcement any listed sex offender who has not been granted permission pursuant to this
25 Act—and who is observed or known to be within the premises, or loitering within three
26 hundred (300) meters of the property line of a school or other location where a school activity
27 is scheduled to occur.

28 School personnel shall not use information received by the school regarding any listed sexual
29 offender to harass, intimidate, commit a crime against, or cause harm to any person.

30 **SECTION 7. Penalties.** – Any person found guilty of violating the provisions of this Act
31 shall be punished with a fine of not less than Two Hundred Thousand Pesos (₱200,000.00)
32 and not exceeding Three Hundred Fifty Thousand Pesos (₱350,000.00) and imprisonment of
33 not less than thirty (30) days but not more than sixty (60) days, at the discretion of the court.

34 **SECTION 8. Separability.** If any provision or part hereof is held invalid or unconstitutional,
35 the remainder of the law or the provision not otherwise affected shall remain valid and
36 subsisting.

1 **SECTION 9. *Repealing Clause.*** All laws, presidential decree or issuance, executive order,
2 letter of instruction, administrative order, rule or regulation, contrary to, or inconsistent with
3 the provisions of this Act, is hereby repealed, modified or amended accordingly.

4 **SECTION 10. *Effectivity.*** This Act shall take effect fifteen days (15) days after its full and
5 complete publication in the Official Gazette or in at least two (2) newspapers of general
6 circulation.

Approved,