

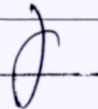
SENATE  
S.B. No. 495

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Introduced by SENATOR VICENTE C. SOTTO III

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**AN ACT  
IMPOSING DEATH PENALTY IN THE PHILIPPINES**

**EXPLANATORY NOTE**

One of the pervading social ills at present is rampant drug addiction. Various laws have been passed to prevent and control this drug menace. Despite the various measures currently in place to curtail this social ill, the war against it has not yet been won. Hence, the government is in a continuous search for an effective and efficient means to somehow get us closer to our victory.

While a lot of high-level drug offenders have been put behind bars, their illicit activities continue even inside the premises of the national penitentiary. Imposing death penalty to high-level drug traffickers could be a possible solution to the country's drug problem, as they are the persons at the top of the matrix. These high-level drug traffickers are the main actors and movers of the illegal drug trade. Thus, removing them from the picture would more likely cause the collapse of the established illegal drug business in the country.

Section 19, Article III of the Philippine Constitution provides that:

"Excessive fines shall not be imposed nor cruel, degrading or inhuman punishment inflicted. Neither shall death penalty be imposed, unless, for compelling reasons involving heinous crimes, the Congress hereafter provides for it."

Illegal trafficking being considered as heinous crime under Republic Act 7659, it is but appropriate that death penalty be imposed for its commission.

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

  
VICENTE C. SOTTO III

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AN ACT  
IMPOSING DEATH PENALTY IN THE PHILIPPINES

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

1 SECTION 1. **Short Title.** - This Act shall be known as the "Death  
2 Penalty Act" .

3 SECTION 2. **Declaration of Policy.** - Section 19, Article III of the  
4 Philippine Constitution provides that:

5 "Excessive fines shall not be imposed nor cruel, degrading or  
6 inhuman punishment inflicted. Neither shall death penalty be  
7 imposed, unless, for compelling reasons involving heinous crimes,  
8 the Congress hereafter provides for it."

9 Section 5, Article II of the Philippine Constitution provides:

10 "The maintenance of peace and order, the protection of life,  
11 liberty, and property, and promotion of the general welfare are  
12 essential for the enjoyment by all the people of the blessings of  
13 democracy."

14 SECTION 3. **Imposition of the Death Penalty.** - The death penalty is  
15 hereby imposed for illegal trafficking, as defined under Republic Act No.  
16 9165, otherwise known as the Comprehensive Dangerous Drugs Act of  
17 2002, that has a concomitant penalty of death under the same law.

1           SECTION 4. **Death by Lethal Injection.** - The imposed penalty of  
2 death shall be carried out through lethal injection. Republic Act No. 8177  
3 otherwise known as the Act Designating Death by Lethal Injection is thus  
4 hereby revived and activated.

5           SECTION 5. **Implementing Rules and Regulations.** - The Secretary  
6 of the Department of Justice shall promulgate the rules and regulations to  
7 implement this Act within sixty (60) days from its effectivity.

8           SECTION 6. **Repealing Clause** - Republic Act No. 9346 otherwise  
9 known as An Act Prohibiting the Imposition of Death Penalty in the  
10 Philippines is hereby repealed and any law, presidential decree or issuance,  
11 executive order, letter of instruction, administrative order, rule or regulation  
12 contrary to or inconsistent with any provision of this Act is hereby amended  
13 or modified accordingly.

14           SECTION 7. **Effectivity Clause.** - This Act shall take fifteen (15) days  
15 following its publication in the official Gazette or in at least two (2)  
16 newspaper of general circulation.

*Approved,*