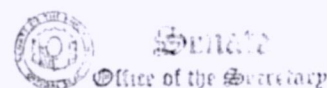



EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'19 JUL 25 P6:38

SENATE

S.B. No. 796

RECEIVED BY: 

Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
RE-INSTITUTING THE DEATH PENALTY IN THE PHILIPPINES**

EXPLANATORY NOTE

It is expressly stated in Article III of the Philippine Constitution that death penalty may be imposed for compelling reasons. The highest law of the land is very clear on this. Despite our seeming uncertainty in deciding whether to pursue this penalty or not, we should bear in mind that times have changed. Crimes these days are so much crueler and more heinous. Everyday, we hear news of children ages as low as months old being raped and eventually killed. News of shipments of huge amounts of dangerous drugs are commonplace. These, more than anything, makes it imperative and urgent that we institute a strong deterrent, one that will "unmake" wrong-doers.

This proposed measure seeks to revive Republic Act No. No. 7659, otherwise known as *An Act to Impose the Death Penalty on Certain Heinous Crimes, Amending for that Purpose the Revised Penal Laws, as amended, Other Special Penal Laws, and for other purposes*, which was repealed in 2006. Further, this bill seeks to increase the penalty for false testimony to as maximum as death so that fake whistleblowers suffer the same penalty as to those who could have been convicted of a crime they did not commit. This will serve as deterrent for people who ruin the lives of innocent people for reasons only they understand. Intentionally giving false testimony that

destroys the life, credibility and future of innocent people can be considered outrageously evil or wicked.

Being true to our oath to support and defend our Constitution, I am sincerely appealing for your kind consideration of this bill.


RAMON BONG REVILLA, JR.



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AN ACT
RE-INSTITUTING THE DEATH PENALTY IN THE PHILIPPINES

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

1 Section 1. *Short Title.* – This Act shall be known as the “Death Penalty Law of
2 2019.”

3

4 Sec. 2. *Declaration of Policy.* – It is the declared policy of the State to foster
5 peace and order, and ensure obedience to its authority, to protect life, liberty and
6 property and to promote the general welfare which are essential for the enjoyment by
7 all the people of the blessings of democracy in a just and humane society.

8

9 Towards this end, and in the interest of justice, public order and the rule of
10 law, and the need to rationalize and harmonize the penal sanctions, the Congress finds
11 compelling reasons to impose the death penalty on heinous crimes committed by
12 offenders who are a continuous threat to society.

13

14 Sec. 3. *Imposition of Death Penalty.* – The death penalty is hereby imposed on
15 crimes defined under Republic Act No. 7659, otherwise known as *An Act to Impose*
16 *the Death Penalty on Certain Heinous Crimes, Amending for that Purpose the Revised*
17 *Penal Laws, as amended, Other Special Penal Laws, and for other purposes, as*

1 heinous for being grievous, odious and hateful offenses, which by reason of their
2 inherent or manifest wickedness, viciousness, atrocity and perversity are repugnant
3 and outrageous to the common standards and norms of decency and morality in a
4 just, civilized and orderly society.

5
6 Accordingly, Republic Act No. 7659 is hereby revived.

7
8 Sec. 4. *Increasing Penalties for False Testimony.* – Act No. 3815, otherwise
9 known as An Act Revising the Penal Code and Other Penal Laws, is hereby amended
10 to read as follows:

11
12 Article 180. *False Testimony against a defendant.* – Any person who
13 shall give false testimony against a defendant in any criminal case shall
14 suffer:

- 15 1. The penalty of reclusion [~~temporal~~] **PERPETUA OR DEATH**, if the
16 defendant in said case shall have been sentenced to **RECLUSION**
17 **PERPETUA OR** death;
- 18 2. The penalty of *prision mayor* **IN ITS MINIMUM AND THE**
19 **PENALTY OF RECLUSION TEMPORAL IN ITS MAXIMUM**, if
20 the defendant shall have been sentenced to *reclusion temporal*;
21 [~~or reclusion perpetua~~];
- 22 3. The penalty of *prision coreccional*, if the defendant shall have been
23 sentenced to any other afflictive penalty; and
- 24 4. The penalty of *arresto mayor*, if the defendant shall have been
25 sentenced to a correctional penalty or a fine, or shall have been
26 acquitted.

27
28 In cases provided in subdivisions 3 and 4 of this article the offender shall
29 further suffer a fine not to exceed 1,000 pesos.

30
31 Art. 181. *False Testimony favorable to the defendants.* – Any person
32 who shall give false testimony in favor of the defendant in a criminal case,

1 shall suffer the penalties of *arresto mayor* in its maximum period to *prision*
2 *correccional* in its minimum period a fine not to exceed 1,000 pesos, if the
3 prosecution is for a felony punishable by an afflictive penalty, and the
4 penalty of *arresto mayor* in any other case.

5
6 Art. 182. *False testimony in civil cases.* - Any person found guilty of
7 false testimony in a civil case shall suffer the penalty of *prision correccional*
8 in its minimum period and a fine not to exceed 6,000 pesos, if the amount
9 in controversy shall exceed 5,000 pesos, and the penalty of *arresto*
10 *mayor* in its maximum period to *prision correccional* in its minimum period
11 and a fine not to exceed 1,000 pesos, if the amount in controversy shall
12 not exceed said amount or cannot be estimated.

13
14 Art. 183. *False testimony in other cases and perjury in solemn*
15 *affirmation.* - The penalty of *arresto mayor* in its maximum period to *prision*
16 *correccional* in its minimum period shall be imposed upon any person, who
17 knowingly makes untruthful statements and not being included in the
18 provisions of the next preceding articles, shall testify under oath, or make
19 an affidavit, upon any material matter before a competent person
20 authorized to administer an oath in cases in which the law so requires.

21
22 Any person who, in case of a solemn affirmation made in lieu of an
23 oath, shall commit any of the falsehoods mentioned in this and the three
24 preceding articles of this section, shall suffer the respective penalties
25 provided therein.

26
27 Art. 184. *Offering false testimony in evidence.* - Any person who shall
28 knowingly offer in evidence a false witness or testimony in any judicial or
29 official proceeding, shall be punished as guilty of false testimony and shall
30 suffer the respective penalties provided in this section.

1 Sec. 5. *Separability Clause.* - If any provision or part hereof, is held invalid or
2 unconstitutional, the remainder of the law or the provision not otherwise affected shall
3 remain valid and subsisting.

4
5 Sec. 6. *Repealing Clause.* - Republic Act No. 9346, otherwise known as An Act
6 Prohibiting The Imposition Of Death Penalty In The Philippines, other laws,
7 presidential decree or issuance, executive order, letter of instruction, administrative
8 order, rule or regulation contrary to, or inconsistent with the provisions of this Act is
9 hereby repealed, modified or amended accordingly.

10
11 Sec. 7. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
12 publication in at least two (2) newspapers of general circulation.

13
14 *Approved,*