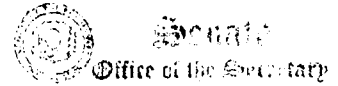


**EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)**



20 MAR -9 P 2 :47

SENATE

S.B. No. 1406

RECEIVED

INTRODUCED BY: SENATOR EMMANUEL D. PACQUIAO

**AN ACT PROHIBITING THE ACT OF INDISCRIMINATE SPITTING AND
EXPELLING NASAL MUCOUS IN PUBLIC PLACES, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Article II, Section 15 of the 1987 Constitution provides that the State shall protect and promote the right to health of the people and instill health consciousness among them. Further, Article XIII, Section 11 mandates that the State shall adopt an integrated and comprehensive approach to health development.

The Department of Health has recently raised “Code Red” as it confirmed local transmission and another case of coronavirus disease 2019 (COVID-19) in the country. The respiratory illness has spread in rapid pace. The Centers for Disease Control and Prevention says the virus is thought to spread from person-to-person, most likely through droplets of saliva or mucus carried in the air for up to six feet or so when an infected person coughs or sneezes.

Considering the gravity of the situation, there is an urgent need to institute a concrete preventive measure to stop the spread of the disease that has become a global health emergency. This bill seeks to prohibit and penalize careless, intentional and indiscriminate spitting and expelling nasal mucous in public areas and other places which the public has access. This shall not only prevent the spread of the coronavirus and other contagious and airborne diseases.

Hence, approval of this measure is earnestly sought.

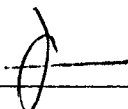
EMMANUEL D. PACQUIAO

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THEREFOR, AND FOR OTHER PURPOSES.**

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 "Anti-Spitting Act of 2020."

2 Section 2. Declaration of Policy. It is a policy of the State to protect and promote the right
3 to health of the people and instill health consciousness among them. Thus, it shall adopt an
4 integrated and comprehensive approach to health development.

5 Section 3. Definition of Terms. For the purposes of this Act, these terms are defined as
6 follows:

7 a. Spitting - the act of expectorating carelessly or intentionally saliva, phlegm, mucus
8 or other substances

9 b. Saliva - a clear, tasteless, odorless, slightly acidic (pH 6.8) viscid fluid, consisting
10 of the secretion from the parotid, sublingual, and submandibular salivary glands and the mucous
11 glands of the oral cavity

12 c. Phlegm - abnormal amounts of mucus, especially as expectorated from the mouth

13 d. Mucous -the clear viscid secretion of the mucous membranes, consisting of mucin,
14 epithelial cells, leukocytes, and various inorganic salts dissolved in water

15 e. Nasal discharge - mucous coming out of one's nose;

1 f. Other substances - those not included in the foregoing definitions but are
2 determined by the Department of Health as in the same class like the above;

3 g. Public places - generally an indoor or outdoor area, whether privately or publicly
4 owned, to which the public have access by right or by invitation, expressed or implied, whether
5 by payment of money or not. It shall include any highway, boulevard, avenue, road, street, bridge
6 or other thoroughfare, park, plaza, square, and/or any open space of public ownership where the
7 people are allowed access.

8 Section 4. Prohibited Acts. No person or persons shall carelessly, intentionally or
9 indiscriminately spit saliva or expel phlegm, mucous, or other substances from the mouth or from
10 the nose in the city streets, alleys, sidewalks, parks, malls, markets, streets, public carriers, public
11 halls, and buildings, banks, public squares, terminals, shopping and business centers, schools,
12 churches, hospital, and other similar public places or any place to which the public has access.

13 Section 5. Penalties. Any person caught spitting in public places shall be charged with the
14 corresponding penalties, to wit:

15 a. First Offense -A fine of five thousand pesos (P5,000.00)

16 b. Second Offense - A fine of ten thousand pesos (P10,000.00)

17 c. Third Offense - A fine of fifty thousand pesos (P50,000.00) and attendance in a
18 health seminar conducted by the Department of Health in coordination with local health units or a
19 subsidiary imprisonment not exceeding six months in case of insolvency, or both such fine and
20 imprisonment at the discretion of the court.

21 Section 6. Implementing and Monitoring Agency. Local government units shall lead in
22 implementing the provisions of this Act, whereas the Department of Health (DOH) and if
23 necessary, in coordination with the Department of Science and Technology (DOST), shall conduct
24 seminars and provide guidelines including the Implementing Rules and Regulations on how to go
25 about the health hazards of spitting. The said agencies shall also conduct regular evaluation on the
26 implementation of this Act.

27 Section 7. Appropriations. Appropriations needed for the implementation of this Act shall
28 be derived from the Internal Revenue Allotment (IRA) of the LGUs and from sources provided by
29 the Department of Health (DOH) and other government agencies.

30 Section 8. Repealing Clause. All laws, decrees, orders, ordinances, rules and regulations or
31 parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

1 Section 9. Separability Clause. If any provision of this Act is declared unconstitutional or
2 otherwise invalid, the validity of the other provisions shall not be affected thereof.

3 Section 10. Effectivity. This shall take effect fifteen (15) days after publication in at least
4 two (2) newspapers of general circulation.

5

6 Approved,