

FIFTEENTH CONGRESS OF THE REPUBLIC  
OF THE PHILIPPINES  
*First Regular Session*

SENATE  
OFFICE OF THE SECRETARY

10 JUL -7 A8:32

SENATE

Senate Bill No. 505

RECEIVED BY: 

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

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#### EXPLANATORY NOTE

Cursory review of our penal statutes reveals that sexual violation of or sexual intercourse with a female corpse is presently beyond the reach of criminal justice system. At most, desecration of the dead in this regard merely gives rise to liability for damages (Art.309, New Civil Code).

Under existing provisions of the Revised Penal Code only defamation to blacken the memory of one who is dead is criminalized (Art. 353, RPC i.e. libel).

This bill seeks to plug this distinct lacuna in the law by penalizing necrophiles or those who morbidly derive sexual gratification by copulating with a corpse. This vicious bestiality is notoriously offensive and revolting to the feelings of the living as it grossly desecrates the dead.

Passage of this bill is earnestly recommended.

  
JINGGOY EJERCITO ESTRADA  
Senator

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AN ACT  
CRIMINALIZING NECROPHILIA AND IMPOSING APPROPRIATE  
PENALTIES THEREFOR, INCORPORATING FOR THIS PURPOSE ARTICLE  
335-A INTO ACT NO. 3815, OTHERWISE KNOWN AS THE REVISED PENAL  
CODE, AS AMENDED

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

**SECTION 1.** There shall be incorporated after Article 335 of Act No. 3815, as amended, otherwise known as "The Revised Penal Code" a new article which shall read as follows:

*"Art. 335-A. Necrophilia Penalty. -Necrophilia is committed by a person who engages in sexual acts with a corpse.*

For purposes of this article, sexual acts shall mean engaging in sexual intercourse, anal and/or oral sex.

Persons found guilty of necrophilia shall suffer the penalty of *prision mayor* to *reclusion temporal* and a fine of One Hundred Thousand Pesos (Php100,000.00) to Five Hundred Thousand Pesos (Php500,000.00) at the discretion of the court.

Whenever the crime of necrophilia is committed by two (2) or more persons, or by any person in whose care or custody such corpse is found, the penalty shall be *reclusion temporal*."

**SEC. 2. Repealing Clause.** - All laws, rules and regulations, decrees, issuances or any parts thereof inconsistent with this Act, are hereby repealed, modified or amended accordingly.

**SEC. 3. Effectivity Clause.** - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) national newspapers of general circulation, whichever comes earlier.

*Approved,*