

8 JUL 30 AM 11:37

SENATE

COMMITTEE REPORT NO. 87

RECEIVED BY: 

Submitted by the Committees on Justice and Human Rights; and Constitutional Amendments, Revision of Codes and Laws on JUL 30 2008

Re: Senate Bill No. 2495.

Recommending its approval in substitution of Senate Bill No. 1038.

Sponsors: Senators Escudero, Gordon and Villar.

MR. PRESIDENT:

The Committees on Justice and Human Rights; and Constitutional Amendments, Revision of Codes and Laws to which was referred Senate Bill No. 1038, introduced by Senator Villar, entitled:

**“AN ACT
CRIMINALIZING NECROPHILIA OR CARNAL KNOWLEDGE WITH THE
DEAD AND IMPOSING APPROPRIATE PENALTIES THEREOF,
INCORPORATING FOR THIS PURPOSE ARTICLE 335-A INTO ACT NO.
3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL
CODE”**

have considered the same and have the honor to report it back to the Senate with the recommendation that the attached bill, Senate Bill No. 2495, prepared by the Committee, entitled:

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

be approved in substitution of Senate Bill No. 1038, with Senators Villar, Escudero and Gordon as authors thereof.

Respectfully submitted:

Chairmen:



RICHARD J. GORDON
*Committee on Constitutional Amendments,
Revision of Codes and Laws*



FRANCIS “CHIZ” G. ESCUDERO
Committee on Justice and Human Rights

Vice-Chairman:



BENIGNO SIMEON "NOYNOY" S. AQUINO III
Committee on Justice and Human Rights

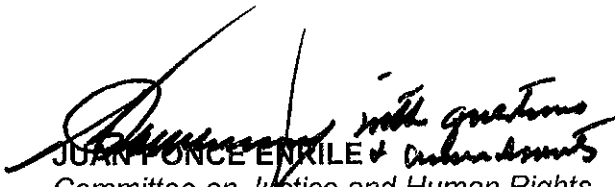
Members:



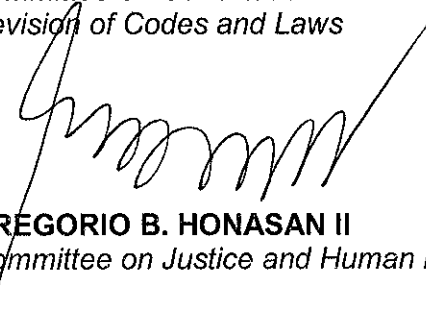
ALAN PETER "COMPAÑERO" S. CAYETANO
Committee on Justice and Human Rights



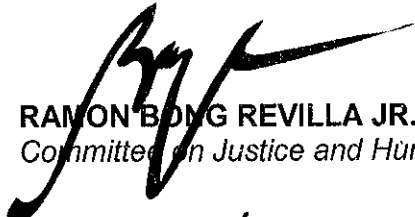
"COMPAÑERA" PIA S. CAYETANO
Committee on Justice and Human Rights
Committee on Constitutional Amendments,
Revision of Codes and Laws



JUAN PONCE ENRILE
Committee on Justice and Human Rights
Committee on Constitutional Amendments,
Revision of Codes and Laws



GREGORIO B. HONASAN II
Committee on Justice and Human Rights



RAMON BONG REVILLA JR.
Committee on Justice and Human Rights

may amend, may interpellate



RODOLFO G. BIAZON
Committee on Justice and Human Rights
Committee on Constitutional Amendments,
Revision of Codes and Laws



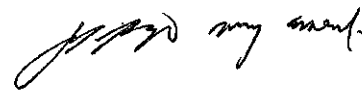
M. A. MADRIGAL
Committee on Justice and Human Rights
Committee on Constitutional Amendments,
Revision of Codes and Laws



MIRIAM DEFENSOR SANTIAGO
Committee on Constitutional Amendments,
Revision of Codes and Laws



EDGARDO J. ANGARA
Committee on Constitutional Amendments,
Revision of Codes and Laws



JOKER P. ARROYO
Committee on Constitutional Amendments,
Revision of Codes and Laws



JUAN MIGUEL F. ZUBIRI
Committee on Constitutional Amendments,
Revision of Codes and Laws



LOREN B. LEGARDA
Committee on Constitutional Amendments,
Revision of Codes and Laws

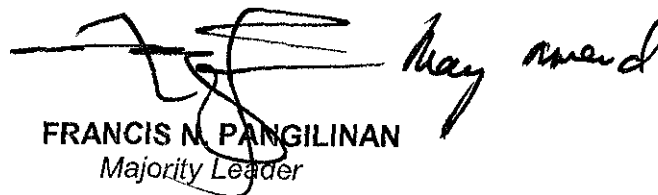


MAR ROXAS
Committee on Constitutional Amendments,
Revision of Codes and Laws

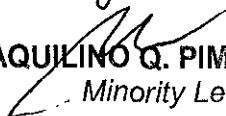
Ex-Officio Members:



JINGGOY EJERCITO ESTRADA
President Pro-Tempore



FRANCIS M. PANGILINAN
Majority Leader

may amend:

AQUILINO Q. PIMENTEL JR.
Minority Leader

Hon. MANNY VILLAR
Senate President
Senate of the Philippines
Pasay City

FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session

8 JUL 30 AM 11:37

SENATE
Senate Bill No. **2495**

RECEIVED BY: 

Prepared and Submitted Jointly by the Committees on Justice and Human Rights and Constitutional Amendments, Revision of Codes and Laws with Senators Villar, Escudero and Gordon as authors thereof

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

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

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

4 **"ART. 335-A. Necrophilia. Penalty. - NECROPHILIA IS**
5 **COMMITTED BY A PERSON WHO ENGAGES IN SEXUAL**
6 **ACTS WITH A CORPSE.**

7 **FOR PURPOSES OF THIS ARTICLE, SEXUAL ACTS**
8 **SHALL MEAN ENGAGING IN SEXUAL INTERCOURSE,**
9 **ANAL AND/OR ORAL SEX.**

10 **PERSONS FOUND GUILTY OF NECROPHILIA SHALL**
11 **SUFFER THE PENALTY OF PRISION MAYOR TO RECLUSION**
12 **TEMPORAL AND A FINE OF ONE HUNDRED THOUSAND**
13 **PESOS (P100,000.00) TO FIVE HUNDRED THOUSAND PESOS**
14 **(P500,000.00) AT THE DISCRETION OF THE COURT.**

15 **WHENEVER THE CRIME OF NECROPHILIA IS**
16 **COMMITTED BY TWO OR MORE PERSONS, OR BY ANY**
17 **PERSON IN WHOSE CARE OR CUSTODY SUCH CORPSE IS**
18 **FOUND, THE PENALTY SHALL BE RECLUSION TEMPORAL."**

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

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

4 Approved,