

FIFTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session



Senate
Office of the Secretary

'11 MAR -2 P3:17

S E N A T E

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COMMITTEE REPORT NO. 19

Submitted jointly by the Committees on Justice and Human Rights *and* Constitutional Amendments, Revision of Codes and Laws on MAR - 2 2011.

Re: Senate Bill No. 2726

Recommending its approval in substitution of Senate Bill Nos. 915, 1423 and 2367.

Sponsor: Senator Escudero

MR. PRESIDENT:

The Committees on Justice and Human Rights *and* Constitutional Amendments, Revision of Codes and Laws to which were referred Senate Bill No. 915, introduced by Senator Jinggoy Ejercito Estrada, entitled:

**“AN ACT
DECRIMINALIZING CERTAIN ACTS OF VAGRANCY AMENDING FOR THE
PURPOSE ARTICLE TWO HUNDRED TWO OF ACT NO. 3815 AS AMENDED,
OTHERWISE KNOWN AS THE REVISED PENAL CODE”**

S.No. 1423, introduced by Senator Loren Legarda, entitled:

**“AN ACT
DECRIMINALIZING CERTAINS ACTS OF VAGRANCY AMENDING FOR
THIS PURPOSE ARTICLE 202 OF ACT NO. 3815 AS AMENDED, OTHERWISE
KNOWN AS THE REVISED PENAL CODE.”**

and S.No. 2367, introduced by Senator Francis G. Escudero, entitled:


**“AN ACT
DECRIMINALIZING VAGRANCY AMENDING FOR THIS PURPOSE
ARTICLE 202 OF REPUBLIC ACT NO. 3815, AS AMENDED, OTHERWISE
KNOWN AS THE REVISED PENAL CODE”**

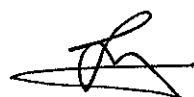
have considered the same and have the honor to report them back to the Senate with the recommendation that the attached Senate Bill No. **2726**, prepared by the Committees, entitled:


**“AN ACT
DECRIMINALIZING VAGRANCY AMENDING FOR THIS PURPOSE
ARTICLE 202 OF ACT NO. 3815, AS AMENDED,
OTHERWISE KNOWN AS THE REVISED PENAL CODE”**

be approved in substitution of Senate Bill Nos. 915, 1423, and 2367 with Senators Estrada, Legarda, Escudero and Defensor-Santiago as authors thereof.

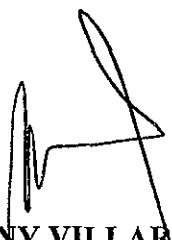
Respectfully submitted:

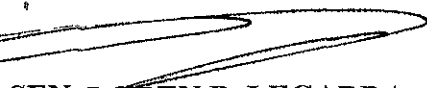

SEN. MIRIAM DEFENSOR-SANTIAGO
Chairman,
Committee on Constitutional Amendments,
Revision of Codes and Laws

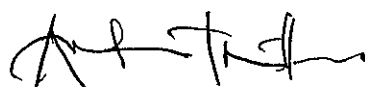

SEN. FRANCIS G. ESCUDERO
Chairman,
Committee on Justice and Human Rights

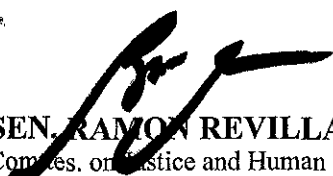

SEN. TEOFISTO GUINGONA III
Vice Chairman,
Committee on Justice and Human Rights


MEMBERS:

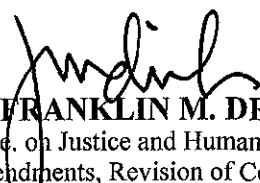

SEN. MANNY VILLAR
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SEN. LOREN B. LEGARDA
Comtte. on Justice and Human Rights

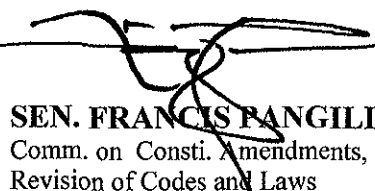

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SEN. RAMON REVILLA, JR.
Comttes. on Justice and Human Rights



SEN. SERGIO R. OSMEÑA III
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SEN. FRANKLIN M. DRILON
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SEN. JOKER P. ARROYO
Comtte. on Justice and Human Rights


SEN. FRANCIS PANGILINAN
Comm. on Consti. Amendments,
Revision of Codes and Laws

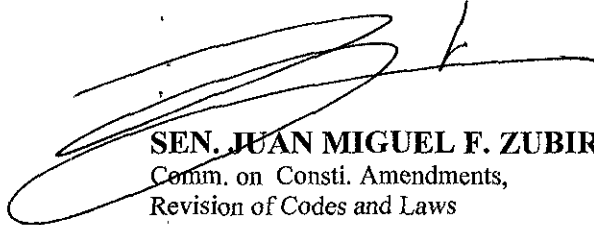
SEN. PANFILO M. LACSON
Comm. on Consti. Amendments,
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SEN. MANUEL M. LAPID
Comm. on Consti. Amendments,
Revision of Codes and Laws



SEN. EDGARDO J. ANGARA
Comm. on Consti. Amendments,
Revision of Codes and Laws

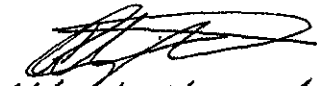


SEN. JUAN MIGUEL F. ZUBIRI
Comm. on Consti. Amendments,
Revision of Codes and Laws



SEN. FERDINAND R. MARCOS, JR.
Comm. on Consti. Amendments, Revision of Codes and Laws

Ex-Officio Members:



W/ Interpretation and possible amendments.
SEN. ALAN PETER CAYETANO
Senate Minority Floor Leader



SEN. VICENTE C. SOTTO III
Senate Majority Floor Leader



SEN. JINGGOY EJERCITO-ESTRADA
Senate President Pro-Tempore

HON. JUAN PONCE ENRILE
Senate President



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

RECEIVED BY:

SENATE

S. B. No. **2726**

Prepared Jointly by the Committees on Justice and Human Rights and Constitutional Amendments, Revision of Codes and Laws with Senators Estrada, Legarda, Escudero and Defensor-Santiago as authors thereof

AN ACT,
DECRIMINALIZING VAGRANCY AMENDING FOR THIS
PURPOSE ARTICLE 202 OF ACT NO. 3815, AS AMENDED,
OTHERWISE KNOWN AS THE REVISED PENALCODE

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

1 **SECTION 1.** Article 202 of the Revised Penal Code is hereby amended to
2 read as follows:

3
4 "Article 202. [Vagrants and p] Prostitutes; *penalty*. - [The following are
5 vagrants:

- 6 1. Any person having no apparent means of subsistence, who has the
- 7 physical ability to work and who neglects to apply himself or herself to
- 8 some lawful calling;
- 9 2. Any person found loitering about public or semi-public buildings or
- 10 places or tramping or wandering about the country or the streets
- 11 without visible means of support;
- 12 3. Any idle or dissolute person who lodges in houses of ill-fame;
- 13 ruffians or pimps and those who habitually associate with prostitutes;
- 14 4. Any person who, not being included in the provisions of other
- 15 articles of this Code, shall be found loitering in any inhabited or
- 16 uninhabited place belong to another without any lawful or justifiable
- 17 purpose;
- 18 5. prostitutes.]

19
20 For the purposes of this article, women who, for money or
21 profit, habitually indulge in sexual intercourse or lascivious conduct,
22 are deemed to be prostitutes.

23
24 Any person found guilty of any of the offenses covered by this
25 article shall be punished by *arresto menor* or a fine not exceeding 200
26 pesos, and in case of recidivism, by *arresto mayor* in its medium period

1 to *prision correccional* in its minimum period or a fine ranging from 200
2 to 2,000 pesos, or both, in the discretion of the court.

3
4 **SEC. 2. *Effect on Pending Cases.*** All pending cases under the provisions of
5 Article 202 of the Revised Penal Code on Vagrancy prior to its amendment by this
6 Act shall be dismissed upon effectivity of this Act.

7
8 **SEC. 3. *Immediate Release of Convicted Persons.*** All persons serving sentence for
9 violation of the provisions of Article 202 of the Revised Penal Code on Vagrancy
10 prior to its amendment by this Act shall be immediately released upon effectivity of
11 this Act, provided that they are not serving sentence or detained for any other
12 offense or felony.

13
14 **SEC. 4. *Repealing Clause.*** All laws, presidential decrees, executive orders, rules
15 and regulations, and other issuances, or any parts thereof, inconsistent with this Act,
16 are hereby repealed, modified or amended accordingly.

17
18 **SEC. 5. *Effectivity Clause.*** This Act shall take effect fifteen (15) days after its
19 publication in the Official Gazette or in at least two (2) newspapers of general
20 circulation.

Approved,