



HOUSE OF REPRESENTATIVES

H. No. 2951

BY REPRESENTATIVE PRIMICIAS-AGABAS

AN ACT AMENDING ACT NO. 3326, OTHERWISE KNOWN AS
“AN ACT TO ESTABLISH PERIODS OF PRESCRIPTION FOR
VIOLATIONS PENALIZED BY SPECIAL ACTS AND MUNICIPAL
ORDINANCES AND TO PROVIDE WHEN PRESCRIPTION
SHALL BEGIN TO RUN”

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

1 SECTION 1. Section 1 of Act No. 3326, otherwise known as “An Act to
2 Establish Periods of Prescription for Violations Penalized by Special Acts and
3 Municipal Ordinances and to Provide When Prescription Shall Begin to Run”,
4 as amended, is hereby further amended to read as follows:

5 “SECTION 1. Violations penalized by special acts
6 shall, unless otherwise provided in such acts, prescribe in
7 accordance with the following rules: (a) after a year for offenses
8 punished only by a fine or by imprisonment for not more than
9 one month, or both; (b) after four years for those punished by
10 imprisonment for more than one month, but less than two years;

1 (c) after eight years for those punished by imprisonment for two
2 years or more, but less than six years; [and] (d) after [twelve]
3 **FIFTEEN** years for any other offense punished by imprisonment
4 for six years or more[, except the crime of treason, which shall
5 prescribe after twenty years.]; **AND (E) AFTER TWENTY YEARS**
6 **FOR THOSE OFFENSES PUNISHED BY DEATH OR LIFE**
7 **IMPRISONMENT: *Provided, however,*** That all offenses against
8 any law or part of law administered by the Bureau of Internal
9 Revenue shall prescribe after five years. Violations penalized
10 by municipal ordinances shall prescribe after two months.”

11 SEC. 2. Section 2 of Act No. 3326 is hereby amended to read as
12 follows:

13 “SEC. 2. Prescription shall begin to run from the day of
14 the commission of the violation of the law, and if the same be
15 not known at the time, from the discovery thereof and the
16 institution of judicial proceeding for its investigation and
17 punishment.

18 “The prescription shall be interrupted when **EITHER**
19 **ADMINISTRATIVE OR JUDICIAL** proceedings are instituted
20 against the [guilty person] **ACCUSED OR BY FILING OF THE**
21 **COMPLAINT FOR PURPOSES OF INVESTIGATION**, and shall
22 begin to run again if the proceedings are dismissed for reasons
23 not constituting jeopardy.”

24 SEC. 3. *Separability Clause.* – If any provision or part hereof is held
25 invalid or unconstitutional, the remainder of the law or provision not otherwise
26 affected shall remain valid and subsisting.

1 SEC. 4. *Repealing Clause.* -- All laws, decrees, executive orders,
2 presidential issuances and other administrative rules and regulations or parts
3 thereof which are inconsistent with this Act are hereby repealed, amended or
4 modified accordingly.

5 SEC. 5. *Effectivity.* -- This Act shall take effect immediately after its
6 publication in two (2) newspapers of general circulation.

Approved,

O