

REPUBLIC OF THE PHILIPPINES  
HOUSE OF REPRESENTATIVES  
Quezon City

EIGHTEENTH CONGRESS  
First Regular Session

House Bill No. 4821



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Introduced by **Pangasinan 5<sup>th</sup> District Representative**  
**HON. RAMON V. GUICO III**

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**EXPLANATORY NOTE**

Increasing number of homeless Filipinos is fast becoming an issue that needs attention by the State. It may be attributable to rapid population growth, poverty, low wages, unemployment, family disputes, and substance abuse. As a result, most of our countrymen are forced to stay in the street and beg for food and money.

These conditions then affect our homeless countrymen as they succumb to malnutrition and many suffer from variety of diseases. Further, homeless people who are suffering from drug abuse show signs of aggression which causes violence and damage to property. Passerby's also complain of annoyance and sometimes theft or robbery.

These are the ill effects of being homeless. Solving this issue needs time and sufficient funding from the government. It requires the preparation of a program that will solve the issue of homelessness. To begin with, the government needs to create a center that will cater to a homeless and give them temporary shelter, food, medicines and clothing. After which, these people will undergo assessment to determine their needs for a long-term solution.

It is for such reason that the passage of a law that will solve issues pertaining to homeless and poverty is encouraged. This bill intends to stand as a beacon of light to our people. It aims to establish a center where the homeless and destitute will be given an opportunity to live better lives through the concerted efforts of different government agencies.

Resolving the issue dwells in the capable hands of the State. Finding strength in the general welfare clause specifically under Section 5 of Article II, of the Philippine Constitution, it is provided that, "*The maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.*". It is therefore the purpose of the bill to create a center administered by a qualified government agency to enforce the general welfare clause.

In view of the foregoing, immediate passage of this bill is earnestly sought.

  
Rep. Ramon V. Guico III

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**AN ACT CREATING THE HOME FOR THE HOMELESS  
AND APPROPRIATING FUNDS THEREFOR**

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

**SECTION 1. Short Title.**—This Act shall be known as the “Home for the Homeless Act.”

**SEC. 2. Declaration of Policy.** --- The State recognizes its responsibility to value the dignity of every human person and guarantee full respect for human rights. By such declaration, it is the duty of the State to protect the right of every citizen and guarantee the applicability of the general welfare clause.

**SEC. 3. Definition of terms.** – For purposes of this Act, these terms are defined as follows:

- a) Secretary shall pertain to the Secretary of the Department of Social Welfare and Development;
- b) Center shall refer to the Home for the Homeless Center;
- c) Homeless shall refer to any person who is without a home and typically living in the streets;
- d) Destitute person shall refer to any person without the necessities of life;
- e) Rescued individuals shall pertain to people who are taken from the streets and sent to a Center for assessment and assistance.

**SEC. 4. Creation of the Home for the Homeless Center-** There shall be an establishment called “Home for the Homeless” which shall be under the control and supervision of the Department of Social Welfare and Development (DSWD) through the Secretary. It will serve as a temporary shelter for destitute persons, homeless, or those who suffer abuse from their family.

**SEC. 5. Government Contributions.** - The Government shall constitute the necessary land, building, equipment and facilities, to the Home for Homeless Center, and shall pay such obligations for real, personal and mixed properties arising from such undertaking.

**SEC. 6. Property of the Center.** The Property of the Home for Homeless Center shall consist of such real, personal, mixed, and other type of property, now owned or reserve for, or may hereafter be



given, donated, acquired, transferred or conveyed to, the Home for the Homeless Center by the Philippine Government, its branches and instrumentalities, any foreign government, as well as by trust, foundations, corporations, or persons, alien or domestic, in order to carry out its purposes and objectives as set forth herein.

**SEC. 7. Purposes and objectives.** The purposes and objectives of the Home for the Homeless Center are:

1. To construct, establish, operate and maintain a facility that will cater to the homeless and destitute and give such people temporary shelter;
2. To assess the issues encountered by the homeless and destitute and endorse them to the proper government agencies after granting temporary shelter. These shall include the endorsement to Technical Education and Skills Development Authority (TESDA) for livelihood training of individuals; National Housing Authority (NHA) to determine qualifications to avail of government housing programs; Department of Health (DOH) to participate in the assessment of rescued individuals and render medical and dental assistance; National Center for Mental Health (NCMH) to conduct mental check-up for those rescued who are apparently suffering mental illness;
3. To transfer to proper government agencies specialized in each condition of the people rescued after assessment within the period provided for by law.
4. To provide sleeping facilities, food, clothing, medicines and other needs during the duration of the assessment;
5. To conduct research that would facilitate improvement of the services being rendered for betterment of public service in the future;
6. To encourage and/or undertake the training of social workers, medical practitioners, nurses and other related professionals to participate in this endeavor;

**SEC. 8. Power to require homeless or destitute person to be brought to the Home for the Homeless Center;**

1. Any public officer acting under the direction of the Secretary of the Department of Social Welfare and Development (DSWD), or upon recommendation of any Local Government Unit (LGU) may deliver him to the Home for the Homeless Center;
2. If the Secretary has reasonable ground to believe that any person so delivered to the Center has no visible means of subsistence, he may arrange for that person to be temporarily admitted into the Center until the proper assessment shall have been conducted.
3. The assessment shall be completed within a period of five (5) days from the date of that person's admission into the Center or a period not exceeding seven (7) days or as recommended by the Secretary.

- 1           4. Upon assessment, a report shall be issued by a licensed social worker to the Secretary. If the  
2           need arises, any qualified doctor shall likewise conduct an assessment in order to determine  
3           the health conditions of the homeless.

4           **SEC. 9. Implementing Rules and Regulations.** – The Secretary of Department of Social Welfare and  
5           Development (DSWD) in coordination with the National Housing Authority (NHA), Department of  
6           Health (DOH), Department of Interior and Local Government (DILG); National Center for Mental  
7           Health (NCMH) shall hereby promulgate the Internal Rules and Regulations to carry-out the provisions  
8           of this Act within ninety days (90) after its effectivity.

9           **SEC. 10. Tax Deduction or Exemption of Donations and Contributions.** – All donations and  
10          contributions to the “Home for Homeless” shall be exempt from the donor's taxes, and shall be deductible  
11          in full in the computation of the taxable net income of the donor. Further, any payment of taxes due to  
12          the importation of any equipment to be used directly or indirectly to the “Home for the Homeless” shall  
13          be exempted from any Tariff, Customs duties, and any other tax due thereon.

14          **SEC. 11. Appropriation.** – In order to provide the necessary funds for the implementation of this law  
15          shall be included in the annual General Appropriations Act following its enactment.

16          **SEC. 12. Repealing Clause.** – All laws, presidential decrees, executive orders, presidential  
17          proclamations, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or  
18          modified accordingly.

19          **SEC. 13. Separability Clause.** – If any provision of this Act is declared unconstitutional, the same  
20          shall not affect the validity and effectivity of other provisions hereof.

21          **SEC. 14. Effectivity.** – This Act shall take effect within fifteen (15) days after its publication in a  
22          newspaper of general circulation.

23          Approved,