

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

Seventeenth Congress  
First Regular Session

**HOUSE BILL NO. 3640**



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**Introduced by Representative Michelle M. Antonio**

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**EXPLANATORY NOTE**

It is a declared policy of the state to recognize the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual and social well-being. (Article II, Section 13 of the 1987 Constitution)

Educational institutions, on the other hand, are charged with ensuring a safe, helpful and healthy environment where students can learn and reach their full potential.

With the prevalence of drug use and dependence in the country which has debilitating implications for the future especially on the youth sector, there should be a combination of prevention, intervention and treatment programs with the common goal of effectively countering the proliferation of drug use by students.

The problem of drug use and dependence among young people is a health issue and at the same time, a public matter that affects peace and order in the society. It is laudable that the government is trying to address the problem very strongly with the implementation of anti-drug campaign of the administration.

Relatively, this bill envisions to institute mandatory annual drug testing to students of secondary, tertiary, vocational, and technical schools.

Section 36(c), Article III of the Comprehensive Drug Act of 2009 (Republic Act 9165) already provides that the students of secondary and tertiary schools shall undergo random drug testing, and that all drug testing expenses, whether in public or private schools, will be borne by the government.

However, in the past years, only a few random drug testing have been conducted. Due to limited funds, only a sample of the entire student population was taken, resulting in the lack of sufficient data to serve as basis for an effective intervention.

Recognizing the cause of the failure of the random drug testing to effectively detect and prevent drug use in our schools, this bill is proposed to provide much-needed funds for a sustainable implementation of drug testing to all students in all schools in our country.

It must be emphasized that the primary purpose of drug testing is not to punish students but to prevent drug abuse and dependence at an early age. As a deterrent, it shall give students a reason to avoid and resist peer pressure to take drugs. Teens test positive for drugs, on the other hand, shall be subjected for early intervention and can be referred for treatment.

Noteworthy, the bill recognizes the dignity of the students in that the result of the test shall be considered as strictly confidential and whoever violates the rules of confidentiality shall be subjected to sanctions under appropriate laws.

In view of the foregoing and in line with the president's vow to rid the country of illegal drugs, approval of this bill is highly recommended.



**MICHAELINA M. ANTONIO**  
AGBIAG Party-list

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AN ACT

MANDATING ANNUAL DRUG TESTING TO ALL STUDENTS OF SECONDARY, TERTIARY, VOCATIONAL, AND TECHNICAL SCHOOLS, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. *Mandatory Drug Testing.* – All students of secondary, tertiary, vocational, and technical schools, whether public or private, shall undergo annual drug testing: *Provided,* That all drug testing expenses will be borne by the government.

SEC. 2. *Purpose.* – The primary purpose of the annual drug testing program is to consider drug use and dependence as a health issue, and to institute appropriate interventions to stop or prevent further the use of illegal drugs. A positive drug test result shall not be a ground to suspend or dismiss a student from the school but shall be considered as an initial step of the rehabilitation process.

SEC. 3. *Confidentiality of the Result.* – The results of the test shall be strictly confidential, and no school or agency shall publish or post results whether positive or negative.

Any person who violates the rules of confidentiality of the results shall be liable under RA 9165 and such other applicable laws.

SEC. 4. *Procedures in the Conduct of the Annual Drug Testing.* – The Department of Education and the Commission on Higher Education, in collaboration with the Department of Health and the Dangerous Drugs Board, shall within sixty (60) days from the effectivity of this Act promulgate rules and regulations necessary for the effective implementation of this Act.

SEC. 5. *Tax exemption.* – Any donation, contribution, bequest, and grant which may be made to implement the annual drug testing program for students shall constitute as allowable deduction from the income of the donor for income tax purposes and shall be exempt from donor's tax, in accordance with the provisions of the National Internal Revenue Code, as amended.

SEC. 6. *Appropriation.* – The amount of Two Hundred Million Pesos (Php 200,000,000.00) is hereby authorized to be appropriated out of the funds in the National Treasury not otherwise appropriated or out of the Philippine

Amusement and Gaming Corporation (Pagcor) funds. Thereafter, the same shall be included in the annual General Appropriations Act.

SEC. 7. *Separability Clause.* - If any part or provision of this Act is held invalid or unconstitutional, other provisions not affected thereby shall remain in force and in effect.

SEC. 8. *Repealing Clause.* - All other laws, decrees, orders, issuances, rules, and regulations which are inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 9. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,