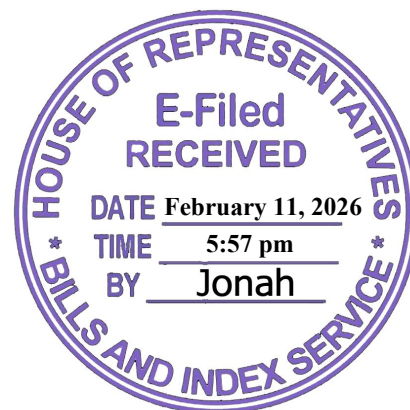




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 7779



Introduced by 4Ps Partylist Representative
JC M. ABALOS

EXPLANATORY NOTE

Article 148 of the Family Code governs property relations between persons who live together without the benefit of marriage where legal capacity to marry is absent. Recent jurisprudence has clarified that protection of property rights under Article 148 extends to cohabiting partners regardless of sex or gender, emphasizing that the controlling standard is legal capacity to marry and not sex and gender identities.

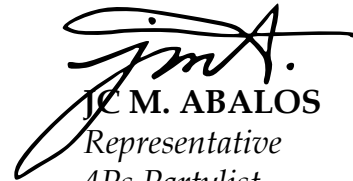
Despite this clarification, the existing statutory language of Article 148 remains limited in defining what constitutes contribution and how courts may fairly evaluate shared acquisition of property. The absence of statutory guidance may lead to inconsistent interpretations, heightened evidentiary burdens, and inequitable outcomes for long-term partners whose contributions may not always be strictly financial.

This bill seeks to strengthen the equitable spirit of Article 148 by:

- Clarifying the scope of cohabiting partners covered by the provision;
- Providing a modern and inclusive definition of contribution;
- Establishing rebuttable presumptions in long-term cohabitation; and
- Recognizing contemporary forms of proof consistent with evolving financial and social realities.

The measure does not alter existing marriage laws. Rather, it ensures that property rights arising from shared effort and mutual support receive clear statutory protection consistent with recent jurisprudence and the principles of equity and justice.

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



JC M. ABALOS
Representative
4Ps Partylist



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**AN ACT STRENGTHENING ARTICLE 148 OF THE FAMILY CODE OF THE
PHILIPPINES, TO ENSURE FAIR AND ENFORCEABLE PROPERTY
RIGHTS IN COHABITATION, INCLUDING SAME-SEX PARTNERSHIPS**

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

SECTION 1. *Short Title.* — This Act shall be known as the “Shared Property Rights Protection Act.”

SEC. 2. *Declaration of Policy.* — It is the policy of the State to promote fairness, equity, and stability in property relations arising from cohabitation not governed by Article 147 of the Family Code. The State recognizes that property may be acquired and preserved through diverse forms of contribution, including unpaid labor and mutual support, and that such contributions deserve legal protection regardless of the sex, sexual orientation, or gender identity or expression of the partners, consistent with the Constitution and existing family and property laws.

SEC. 3. *Clarification of Coverage under Article 148.* — For purposes of Article 148 of the Family Code, cohabiting partners shall include persons living together, regardless of sex or gender, where a legal impediment to marriage exists.

SEC. 4. *Definition of Contribution.* – Contribution to the acquisition of property under Article 148 shall include, but shall not be limited to:

- a. Direct financial investment or payment;
- b. Management of household finances or shared resources;
- c. Caregiving, domestic work, and household administration that enable the acquisition or preservation of property;
- d. Professional, business, or economic support that contributes to the earning capacity of a partner; and
- e. Other forms of economic or non-economic participation that directly or indirectly facilitate acquisition.

Such contributions may be proven through documentary, testimonial, digital, or circumstantial evidence.

SEC. 5. *Rebuttable Presumption in Long-Term Cohabitation.* – Where cohabitation between partners covered by Article 148 has been continuous for at least five (5) years, property acquired during such period shall be presumed to have been obtained through equal contribution, unless proven otherwise by clear and convincing evidence.

SEC. 6. *Evidentiary Guidelines.* – In determining contribution and co-ownership under Article 148, courts shall consider all relevant evidence, including modern forms of proof, such as:

- a. Electronic fund transfers and digital financial records;
- b. Shared utility payments or recurring expenses;
- c. Written acknowledgments of ownership or contribution;
- d. Joint financial arrangements or liabilities; and
- e. Any other relevant indicia of shared economic activity.

SEC. 7. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity of this Act, the Department of Justice shall formulate guidelines to assist courts and stakeholders in the uniform application of this Act.

SEC. 8. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the provisions not affected thereby shall remain in full force and effect.

SEC. 9. *Repealing Clause.* — All laws, presidential decrees, executive orders, presidential proclamations, rules or regulations and other issuances, or parts thereof, contrary to or inconsistent with any provision of this Act are hereby repealed, amended or modified accordingly.

SEC. 10. *Effectivity Clause.* — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,