

**RCW 26.26A.705 Eligibility to enter gestational or genetic surrogacy agreement.**

- (1) To execute an agreement to act as a gestational or genetic surrogate, a woman must:
- (a) Have attained twenty-one years of age;
  - (b) Previously have given birth to at least one child but not enter into more than two surrogacy agreements that result in the birth of children;
  - (c) Complete a medical evaluation related to the surrogacy arrangement by a licensed medical doctor;
  - (d) Complete a mental health consultation by a licensed mental health professional; and
  - (e) Have independent legal representation of her choice throughout the surrogacy arrangement regarding the terms of the surrogacy agreement and the potential legal consequences of the agreement.
- (2) To execute a surrogacy agreement, each intended parent, whether or not genetically related to the child, must:
- (a) Have attained twenty-one years of age;
  - (b) Complete a medical evaluation related to the surrogacy arrangement by a licensed medical doctor;
  - (c) Complete a mental health consultation by a licensed mental health professional; and
  - (d) Have independent legal representation of the intended parent's choice throughout the surrogacy arrangement regarding the terms of the surrogacy agreement and the potential legal consequences of the agreement. [2018 c 6 s 702.]