

RCW 26.26A.710 Requirements of gestational or genetic surrogacy agreement—Process. A surrogacy agreement must be executed in compliance with the following rules:

(1) At least one party must be a resident of this state or, if no party is a resident of this state, at least one medical evaluation or procedure or mental health consultation under the agreement must occur in this state.

(2) A woman acting as a surrogate and each intended parent must meet the requirements of RCW 26.26A.705.

(3) Each intended parent, the woman acting as a surrogate, and the spouse of the woman acting as a surrogate, if any, must be parties to the agreement.

(4) The agreement must be in a record signed by each party listed in subsection (3) of this section.

(5) The woman acting as a surrogate and each intended parent must acknowledge in a record receipt of a copy of the agreement.

(6) The signature of each party to the agreement must be attested by a notarial officer or witnessed.

(7) The woman acting as a surrogate and the intended parent or parents must have independent legal representation throughout the surrogacy arrangement regarding the terms of the surrogacy agreement and the potential legal consequences of the agreement, and each counsel must be identified in the surrogacy agreement.

(8) The intended parent or parents must pay for independent legal representation for the woman acting as a surrogate.

(9) The agreement must be executed before a medical procedure occurs related to the surrogacy agreement, other than the medical evaluation and mental health consultation required by RCW 26.26A.705.
[2018 c 6 § 703.]