

RCW 26.26A.750 Gestational surrogacy agreement—Order of parentage. (1) Except as otherwise provided in RCW 26.26A.740(3) or 26.26A.755, before, on, or after the birth of a child conceived by assisted reproduction under a gestational surrogacy agreement, a party to the agreement may commence a proceeding in the superior court for an order or judgment:

(a) Declaring that each intended parent is a parent of the child and ordering that parental rights and duties vest immediately on the birth of the child exclusively in each intended parent;

(b) Declaring that the woman acting as a gestational surrogate and the surrogate's spouse or former spouse, if any, are not the parents of the child;

(c) Directing the state registrar of vital statistics to list each intended parent as a parent of the child on the birth record;

(d) To protect the privacy of the child and the parties, declaring that the court record is not open to inspection except as authorized under RCW 26.26A.725;

(e) If necessary, that the child be surrendered to the intended parent or parents; and

(f) For other relief the court determines necessary and proper.

(2) The court may issue an order or judgment under subsection (1) of this section before the birth of the child. The court shall stay enforcement of the order or judgment until the birth of the child.

(3) Neither this state nor the state registrar of vital statistics is a necessary party to a proceeding under subsection (1) of this section. [2018 c 6 § 711.]