

RCW 26.26A.735 Gestational surrogacy agreement—Termination.

(1) A party to a gestational surrogacy agreement may terminate the agreement, at any time before an embryo transfer, by giving notice of termination in a record to all other parties. If an embryo transfer does not result in a pregnancy, a party may terminate the agreement at any time before a subsequent embryo transfer.

(2) Unless a gestational surrogacy agreement provides otherwise, on termination of the agreement under subsection (1) of this section, the parties are released from the agreement, except that each intended parent remains responsible for expenses that are reimbursable under the agreement and incurred by the woman acting as a gestational surrogate through the date of termination.

(3) Except in a case involving fraud, neither a woman acting as a gestational surrogate nor the surrogate's spouse or former spouse, if any, is liable to the intended parent or parents for a penalty or liquidated damages, for terminating a gestational surrogacy agreement under this section. [2018 c 6 § 708.]