

RCW 26.26A.780 Genetic surrogacy agreement—Parentage of deceased intended parent. (1) Except as otherwise provided in RCW 26.26A.770 or 26.26A.775, on birth of a child conceived by assisted reproduction under a genetic surrogacy agreement, each intended parent is, by operation of law, a parent of the child, notwithstanding the death of an intended parent during the period between the transfer of a gamete or embryo and the birth of the child.

(2) Except as otherwise provided in RCW 26.26A.770 or 26.26A.775, an intended parent is not a parent of a child conceived by assisted reproduction under a genetic surrogacy agreement if the intended parent dies before the transfer of a gamete or embryo unless:

(a) The agreement provides otherwise; and

(b) The transfer of the gamete or embryo occurs not later than thirty-six months after the death of the intended parent, or birth of the child occurs not later than forty-five months after the death of the intended parent. [2018 c 6 § 717.]