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**ESSB 6037** - H AMD **2000**

By Representative Young

On page 35, after line 33, insert the following:

"(10) The woman acting as a surrogate must have the capacity to contract, meaning that she possesses sufficient mind or reason to understand the nature, terms, and effect of the agreement. If the required medical evaluation or mental health consultation required under section 702 of this act indicates that the woman acting as a surrogate lacks the capacity to contract, any surrogacy agreement entered into by the woman acting as a surrogate is void."

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| --- | --- |
|  | EFFECT:   Provides that a woman acting as a surrogate may not enter into a surrogacy agreement if she lacks the capacity to contract, which means having sufficient mind or reason to understand the nature, terms, and effect of the agreement. Provides that a surrogacy agreement is void if the results of the medical evaluation or mental health consultation indicate that the woman acting as a surrogate lacks capacity to contract. |

**--- END ---**