

By: Representatives Currie, Arnold, Boyd,
Hopkins

To: Judiciary B

HOUSE BILL NO. 739

1 AN ACT TO CREATE THE CRIME OF FEMALE GENITAL MUTILATION; TO
2 PROVIDE THE ELEMENTS OF THE CRIME; TO PROVIDE THAT A VIOLATION OF
3 THIS ACT SHALL BE A FELONY; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** (1) The crime of female genital mutilation is
6 committed when a person:

7 (a) Knowingly circumcises, excises, or infibulates any
8 part of the labia majora or labia minora or clitoris of another
9 person who is younger than eighteen (18) years of age;

10 (b) Is a parent or legal guardian of another person who
11 is younger than eighteen (18) years of age and knowingly consents
12 to or permits the act prohibited by this section to be performed
13 on that person; or

14 (c) Knowingly transports or facilitates the
15 transportation of another person who is younger than eighteen (18)
16 years of age within this state or from this state for the purpose
17 of having an act prohibited by this section performed on that
18 person.



19 (2) It shall be a defense to prosecution under subsection
20 (1) of this section if:

21 (a) The act is performed for medical purposes; and

22 (b) The person performing the act is a physician or
23 other licensed health care professional and the act is within the
24 scope of the person's license.

25 (3) It is not a defense to prosecution under this section
26 that:

27 (a) The person on whom the circumcision, excision, or
28 infibulation was performed or was to be performed, or another
29 person authorized to consent to medical treatment of that person,
30 including that person's parent or legal guardian, consented to the
31 circumcision, excision, or infibulation;

32 (b) The circumcision, excision, or infibulation is
33 required by a custom or practice of a particular group; or

34 (c) The circumcision, excision, or infibulation was
35 performed or was to be performed as part of or in connection with
36 a religious or other ritual ceremony or process.

37 (4) Upon conviction under this section, a person shall be
38 sentenced to the commitment of the Department of Corrections for
39 not more than five (5) years or fined not more than Ten Thousand
40 Dollars (\$10,000.00), or both.

41 **SECTION 2.** This act shall take effect and be in force from
42 and after July 1, 2018.

