

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H3/24/15
A Bill

HOUSE BILL 1762

By: Representative B. Smith

By: Senator J. Cooper

For An Act To Be Entitled

AN ACT TO CREATE THE OFFENSE OF FEMALE GENITAL
MUTILATION; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE OFFENSE OF FEMALE GENITAL
MUTILATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 5, Chapter 60, Subchapter 1, is amended to add an additional section to read as follows:

5-27-211. Female genital mutilation.

(a) A person commits the offense of female genital mutilation if he or she knowingly:

(1) Circumcises, excises, or infibulates, in whole or in part, the labia majora, labia minor, or clitoris of a female who is a minor;

(2) Consents to or permits the circumcision, excision, or infibulation, in whole or in part, the labia majora, labia minor, or clitoris of the female who is a minor and the person is a parent or guardian or is standing in loco parentis or has custody of the female; or

(3) Removes or causes or permits the removal of female who is a minor from this state for the purpose of circumcising, excising, or infibulating, in whole or in part, the labia majora, labia minor, or clitoris of the female.

(b) Female genital mutilation is a Class B felony.

(c) It is not a defense to prosecution under this section that:



(1) The conduct under subsection (a) of this section is required as a matter of religion, custom, ritual, or standard practice;

(2) The female who received the circumcision, excision, or infibulation consented to the circumcision, excision, or infibulation; or

(3) A parent or guardian of the female who received the circumcision, excision, or infibulation consented to the circumcision, excision, or infibulation.

(d) It is a defense to prosecution under this section that the circumcision, excision, or infibulation is done as a surgical procedure if the surgical procedure is:

(1) Necessary to the health of the person who receives the procedure and is performed by a person licensed by the Arkansas State Medical Board; or

(2) Performed on a person in labor or who has just give birth and is performed for medical purposes associated with labor or birth by a person licensed in this state.

/s/B. Smith