

1 H.709

2 Introduced by Representatives Till of Jericho, Burke of Brattleboro, Christie  
3 of Hartford, Dunn of Essex, Head of South Burlington, Joseph  
4 of North Hero, Lucke of Hartford, Macaig of Williston,  
5 McCullough of Williston, Morris of Bennington, Stuart of  
6 Brattleboro, and Wood of Waterbury

7 Referred to Committee on

8 Date:

9 Subject: Crimes; female genital mutilation

10 Statement of purpose of bill as introduced: This bill proposes to prohibit  
11 female genital mutilation.

12 An act relating to female genital mutilation

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 13 V.S.A. chapter 70 is added to read:

15 CHAPTER 70. FEMALE GENITAL MUTILATION

16 § 3151. FEMALE GENITAL MUTILATION PROHIBITED

17 (a) Definitions. As used in this section:

18 (1) "Medical practitioner" means a person licensed to practice his or her  
19 medical profession by his or her respective professional board under the

1 applicable laws of this State or licensed by the Board of Health under  
2 18 V.S.A. § 4206.

3 (2) "Midwife" means a midwife licensed pursuant to 26 V.S.A.  
4 chapter 85.

5 (b) Female genital mutilation prohibited. Except as provided in subsection  
6 (c) of this section, no person shall knowingly circumcise, excise, or infibulate  
7 the whole or any part of the labia majora or labia minora or clitoris of another  
8 person who has not attained 18 years of age.

9 (c) Exceptions. A surgical operation is not a violation of this section if it is  
10 performed absent consideration of any belief that it is necessary as a matter of  
11 custom or ritual and the operation is:

12 (1) necessary to the health of the person on whom it is performed and is  
13 performed by a medical practitioner; or

14 (2) performed on a person in labor or who has just given birth and is  
15 performed for medical purposes connected with that labor or birth by a medical  
16 practitioner, midwife, or person in training to become a medical practitioner or  
17 midwife.

18 (d) Transportation prohibited. A person shall not knowingly transport a  
19 person into or out of this State for the purpose of conduct that would be a  
20 violation of this section.

1        (e) Penalty. A person who violates subsection (b) or (d) of this section  
2        shall be imprisoned not more than five years or fined not more than  
3        \$25,000.00, or both.

4        Sec. 2. EFFECTIVE DATE

5        This act shall take effect on passage.