

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Health Care to which was referred House Bill No. 83  
3 entitled “An act relating to female genital mutilation” respectfully reports that  
4 it has considered the same and recommends that the bill be amended by  
5 striking out all after the enacting clause and inserting in lieu thereof the  
6 following:

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

8 CHAPTER 70. FEMALE GENITAL MUTILATION

9 § 3151. FEMALE GENITAL MUTILATION PROHIBITED

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

11 (1) “Medical practitioner” means a person licensed to practice his or her  
12 medical profession by his or her respective professional board under the  
13 applicable laws of this State or licensed by the Board of Health under  
14 18 V.S.A. § 4206.

15 (2) “Midwife” means a midwife licensed pursuant to 26 V.S.A.  
16 chapter 85.

17 (b) Female genital mutilation prohibited. Except as provided in subsection

18 (c) of this section, no person shall knowingly circumcise, excise, or infibulate  
19 the whole or any part of the labia majora or labia minora or clitoris of another  
20 person who has not attained 18 years of age.

1       (c) Exceptions. A surgical operation is not a violation of this section if it  
2       is:

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

5               (2) performed on a person in labor or who has just given birth and is  
6       performed for medical purposes connected with that labor or birth by a medical  
7       practitioner, midwife, or person in training to become a medical practitioner or  
8       midwife.

9       (d) Defense. It is not a defense to a charge under this section that the  
10       person on whom the operation is performed, or any other person, believes that  
11       the operation is required as a matter of custom or ritual, or that the person on  
12       whom the operation is performed, or that person's parent or guardian,  
13       consented to the operation.

14       (e) Transportation prohibited. A person shall not knowingly transport a  
15       person into or out of this State for the purpose of conduct that would be a  
16       violation of this section.

17       (f) Penalty. A person who violates subsection (b) or (d) of this section  
18       shall be imprisoned not more than five years or fined not more than  
19       \$25,000.00, or both.

20       Sec. 2. EFFECTIVE DATE

21       This act shall take effect on passage.

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(Committee vote: \_\_\_\_\_)

\_\_\_\_\_

Representative \_\_\_\_\_

FOR THE COMMITTEE