

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 1834

By: Hamilton, Cooksey and
Wesselhoft of the House

and

Leftwich of the Senate

8 An Act relating to crimes and punishments; making
9 certain acts unlawful; providing penalties; providing
10 exceptions; providing for the revocation of certain
professional licenses; providing for codification;
and providing an effective date.

12 AUTHORS: Remove Leftwich as Author and substitute Eason
McIntyre as Author and retain Leftwich as Coauthor

14 AMENDMENT NO. 1. Page 1, strike the title, enacting clause
and entire bill and insert

15 "[crimes and punishments - mutilation - penalties -
16 codification -

effective date]

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 760 of Title 21, unless there is
22 created a duplication in numbering, reads as follows:

23 A. Female genital mutilation shall be unlawful in the State
24 of Oklahoma. Whoever knowingly circumcises, excises, or

1 infibulates, in whole or in part, the labia majora, labia minora,
2 or clitoris of another shall, upon conviction, be guilty of a
3 felony punishable by incarceration in the custody of the
4 Department of Corrections for a term of not less than three (3)
5 years nor more than life and a fine of not more than Twenty
6 Thousand Dollars (\$20,000.00). Consent to the procedure by a
7 minor on whom it is performed or by the parent or parents of the
8 minor is not a defense to a violation of this subsection.

9 B. A surgical procedure is not a violation of subsection A
10 of this section if the procedure:

11 1. Is necessary as a recognized treatment for a known
12 disease or for purposes of cosmetic surgery to repair a defect or
13 injury for the person on whom it is performed and is performed
14 by:

- 15 a. a licensed physician, or
- 16 b. a physician in training under the supervision of a
17 licensed physician; or

18 2. Is necessary in the assistance of childbirth or for
19 medical purposes connected with that labor or birth and is
20 performed by:

- 21 a. a licensed physician,
- 22 b. a physician in training under the supervision of a
23 licensed physician, or
- 24 c. a certified nurse-midwife.

1 C. Any physician, physician in training, certified nurse-
2 midwife or any other medical professional who performs or
3 participates in a female genital mutilation procedure shall, in
4 addition to the penalties in subsection A of this section, have
5 the professional license or certification of the person
6 permanently revoked.

7 SECTION 2. This act shall become effective November 1, 2009."

8 Passed the Senate the 23rd day of April, 2009.

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Presiding Officer of the Senate

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12 Passed the House of Representatives the ____ day of _____,
13 2009.

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Presiding Officer of the House
of Representatives

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