

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 1834

By: Hamilton, Cooksey and
Wesselhoft of the House

7 and

Eason McIntyre and Leftwich
of the Senate

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10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to crimes and punishments; making
12 certain acts unlawful; providing penalties; providing
13 exceptions; providing for the revocation of certain
14 professional licenses; providing for codification;
15 and providing an effective date.

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

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

20 A. Female genital mutilation shall be unlawful in the State
21 of Oklahoma. Whoever knowingly circumcises, excises, or
22 infibulates, in whole or in part, the labia majora, labia minora,
23 or clitoris of another shall, upon conviction, be guilty of a
24 felony punishable by incarceration in the custody of the

1 Department of Corrections for a term of not less than three (3)
2 years nor more than life and a fine of not more than Twenty
3 Thousand Dollars (\$20,000.00). Consent to the procedure by a
4 minor on whom it is performed or by the parent or parents of the
5 minor is not a defense to a violation of this subsection.

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

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

12 a. a licensed physician, or

13 b. a physician in training under the supervision of a
14 licensed physician; or

15 2. Is necessary in the assistance of childbirth or for
16 medical purposes connected with that labor or birth and is
17 performed by:

18 a. a licensed physician,

19 b. a physician in training under the supervision of a
20 licensed physician, or

21 c. a certified nurse-midwife.

22 C. Any physician, physician in training, certified nurse-
23 midwife or any other medical professional who performs or
24 participates in a female genital mutilation procedure shall, in

1 addition to the penalties in subsection A of this section, have
2 the professional license or certification of the person
3 permanently revoked.

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

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6 52-1-7964 GRS 05/07/09
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