

THE HOUSE OF REPRESENTATIVES
Wednesday, February 25, 2009

Committee Substitute for
House Bill No. 1834

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1834 - By: HAMILTON of the House and LEFTWICH of the Senate.

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

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

1 SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma
2 Statutes as Section 760 of Title 21, unless there is created a duplication in numbering,
3 reads as follows:
4 A. Female genital mutilation shall be unlawful in the State of Oklahoma.
5 Whoever knowingly circumcises, excises, or infibulates, in whole or in part, the
6 labia majora, labia minora, or clitoris of another shall, upon conviction, be guilty of
7 a felony punishable by incarceration in the custody of the Department of
8 Corrections for a term of not less than three (3) years nor more than twenty (20)
9 years and a fine of not more than Twenty Thousand Dollars (\$20,000.00). Consent
10 to the procedure by a minor on whom it is performed or by the parent or parents of
11 the minor is not a defense to a violation of this subsection.

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

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

6 a. a licensed physician, or

7 b. a physician in training under the supervision of a licensed
8 physician; or

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

11 a. a licensed physician,

12 b. a physician in training under the supervision of a licensed
13 physician, or

14 c. a certified nurse-midwife.

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

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

20 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02-24-09 - DO PASS,
21 As Amended and Coauthored.