

SECOND REGULAR SESSION

SENATE BILL NO. 912

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EMERY.

Read 1st time January 22, 2020, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4957S.011

AN ACT

To repeal section 568.065, RSMo, and to enact in lieu thereof one new section relating to the offense of genital mutilation, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 568.065, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 568.065, to read as follows:

568.065. 1. As used in this section, "female genital mutilation" shall mean all procedures that involve partial or total removal of the external female genitalia, or any harmful procedure to the female genitalia, including but not limited to any of the following:

- (1) Clitoridectomy;
- (2) Partial or total removal of the clitoris or the prepuce;
- (3) Excision or the partial or total removal of the clitoris and the labia minora, with or without excision of the labia majora;
- (4) Infibulation or the narrowing of the vaginal orifice with the creation of a covering seal by cutting and appositioning the labia minora or the labia majora, with or without excision of the clitoris;
- (5) Pricking, piercing, incising, or scraping, and cauterizing the genital area; or
- (6) All other actions intended to alter the structure or function of the female genitalia for non-medical reasons.

2. A person commits the offense of genital mutilation if he or she:

- (1) Excises or infibulates, in whole or in part, the labia majora, labia minora, vulva [or], clitoris, **prepuce, or vagina orifice** of a female child less than [seventeen] **eighteen** years of age; [or]

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 (2) Is a parent, guardian or other person legally responsible for a female
21 child less than [seventeen] **eighteen** years of age and permits the excision or
22 infibulation, in whole or in part, of the labia majora, labia minora, vulva [or],
23 clitoris, **prepuce, or vagina orifice** of such female child; **or**

24 **(3) Removes or causes, permits, or facilitates the removal of a**
25 **female child under eighteen years of age from this state for the purpose**
26 **of female genital mutilation of such female.**

27 [2.] **3.** The offense of genital mutilation is a class B felony.

28 [3.] **4.** Belief that the conduct described in subsection 1 of this section is
29 required as a matter of custom, ritual or standard practice, or consent to the
30 conduct by the child on whom it is performed or by the child's parent or legal
31 guardian, shall not be an affirmative defense to a charge pursuant to this section.

32 [4.] **5.** It is a defense if the conduct which constitutes genital mutilation
33 was:

34 (1) Necessary to preserve the health of the child on whom it is performed
35 and is performed by a person licensed to practice medicine in this state; or

36 (2) Performed on a child who is in labor or who has just given birth and
37 is performed for medical purposes connected with such labor or birth by a person
38 licensed to practice medicine in this state.

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