

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

HOUSE BILL 1762

5 By: Representative B. Smith
6 By: Senator J. Cooper
7

For An Act To Be Entitled

8
9 AN ACT TO CREATE THE OFFENSE OF FEMALE GENITAL
10 MUTILATION; AND FOR OTHER PURPOSES.
11

Subtitle

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13
14 TO CREATE THE OFFENSE OF FEMALE GENITAL
15 MUTILATION.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code Title 5, Chapter 60, Subchapter 1, is amended
21 to add an additional section to read as follows:

22 5-27-211. Female genital mutilation.

23 (a) A person commits the offense of female genital mutilation if he or
24 she knowingly:

25 (1) Circumcises, excises, or infibulates, in whole or in part,
26 the labia majora, labia minor, or clitoris of a female who is a minor;

27 (2) Consents to or permits the circumcision, excision, or
28 infibulation, in whole or in part, the labia majora, labia minor, or clitoris
29 of the female who is a minor and the person is a parent or guardian or is
30 standing in loco parentis or has custody of the female; or

31 (3) Removes or causes or permits the removal of female who is a
32 minor from this state for the purpose of circumcising, excising, or
33 infibulating, in whole or in part, the labia majora, labia minor, or clitoris
34 of the female.

35 (b) Female genital mutilation is a Class C felony.

36 (c) It is not a defense to prosecution under this section that:



1 (1) The conduct under subsection (a) of this section is required
2 as a matter of religion, custom, ritual, or standard practice;

3 (2) The female who received the circumcision, excision, or
4 infibulation consented to the circumcision, excision, or infibulation; or

5 (3) A parent or guardian of the female who received the
6 circumcision, excision, or infibulation consented to the circumcision,
7 excision, or infibulation.

8 (d) It is a defense to prosecution under this section that the
9 circumcision, excision, or infibulation is done as a surgical procedure if
10 the surgical procedure is:

11 (1) Necessary to the health of the person who receives the
12 procedure and is performed by a person licensed by the Arkansas State Medical
13 Board; or

14 (2) Performed on a person in labor or who has just give birth
15 and is performed for medical purposes associated with labor or birth by a
16 person licensed in this state.

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