

Senate Bill 418

By: Senators Unterman of the 45th, Collins of the 6th, Johnson of the 1st, Balfour of the 9th,
Lee of the 29th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated,
2 relating to assault and battery, so as to provide for the crime of female genital mutilation; to
3 provide for penalties; to provide for exceptions; to provide for applicability; to provide an
4 effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 2 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to
8 assault and battery, is amended by adding a new Code Section 16-5-26 to read as follows:

9 "16-5-26.

10 (a) Any person:

11 (1) Who knowingly circumcises, excises, or infibulates, in whole or in part, the labia
12 majora, labia minora, or clitoris of a female; or

13 (2) Who, while legally responsible and charged with the care or custody of a female
14 under the age of 18 years, knowingly consents or permits to the circumcision, excision,
15 or infibulation, in whole or in part, of the labia majora, labia minora, or clitoris of such
16 female

17 shall be guilty of female genital mutilation.

18 (b) A person convicted of female genital mutilation shall be punished by imprisonment for
19 not less than one nor more than 20 years.

20 (c) This Code section shall not apply to procedures performed by a licensed medical
21 professional when necessary for the health of the female or during childbirth for medical
22 reasons connected with the childbirth.

23 (d) Consent of the female under the age of 18 years or the parent, guardian, or custodian
24 of the female under the age of 18 years shall not be a defense to the offense of female
25 genital mutilation. Neither ritual nor custom shall be a defense to the offense of female
26 genital mutilation."

1 **SECTION 2.**

2 This Act shall become effective on July 1, 2004, and shall apply to all offenses committed
3 on or after such date.

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.