

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

AS PASSED SENATE

**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 a short title; to provide for penalties; to provide for exceptions; to provide for
4 applicability; to provide an effective date; to repeal conflicting laws; and for other purposes.

5 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

6 **SECTION 1.**

7 This Act shall be known and may be cited as the "Amirah Joyce Adem Act".

8 **SECTION 2.**

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

11 "16-5-26.

12 (a) Any person:

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

15 (2) Who is a parent, guardian, or has immediate custody or control of a female under the
16 age of 18 years and knowingly consents or permits to the circumcision, excision, or
17 infibulation, in whole or in part, of the labia majora, labia minora, or clitoris of such
18 female; or

19 (3) Who knowingly removes or causes or permits the removal of a female under the age
20 of 18 years from this state for the purpose of circumcising, excising, or infibulating, in
21 whole or in part, the labia majora, labia minora, or clitoris of such female shall be guilty
22 of female genital mutilation.

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

1 (c) This Code section shall not apply to procedures performed by or under the direction
2 of a physician, a registered professional nurse, or a licensed practical nurse licensed
3 pursuant to Chapter 34 or 26, respectively, of Title 43 when necessary to preserve the
4 physical health of the female or during or after labor or childbirth for medical reasons
5 connected with the labor or childbirth.

6 (d) Consent of the female under the age of 18 years or the parent, guardian, or custodian
7 of the female under the age of 18 years shall not be a defense to the offense of female
8 genital mutilation. Neither ritual, custom, nor standard practice shall be a defense to the
9 offense of female genital mutilation."

10 **SECTION 3.**

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

13 **SECTION 4.**

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