

CHAPTER 128

(House Bill 161)

AN ACT concerning

Health - Female Genital Mutilation

FOR the purpose of prohibiting female genital mutilation under certain circumstances; imposing criminal penalties for certain persons convicted of female genital mutilation; specifying certain exceptions; making this Act an emergency measure; and generally relating to the prohibition of female genital mutilation.

BY adding to

Article - Health - General

Section 20-601 through 20-603, inclusive, to be under the new subtitle "Subtitle 6. Female Genital Mutilation"

Annotated Code of Maryland

(1996 Replacement Volume and 1997 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Health - General

SUBTITLE 6. FEMALE GENITAL MUTILATION

20-601.

(A) EXCEPT AS PROVIDED IN § 20-602 OF THIS SUBTITLE, A PERSON WHO KNOWINGLY CIRCUMCISES, EXCISES, OR INFIBULATES THE WHOLE OR ANY PART OF THE LABIA MAJORA OR LABIA MINORA OR CLITORIS OF AN INDIVIDUAL WHO IS UNDER THE AGE OF 18 YEARS IS GUILTY OF FEMALE GENITAL MUTILATION.

(B) EXCEPT AS PROVIDED IN § 20-602 OF THIS SUBTITLE, A PARENT, GUARDIAN, OR OTHER INDIVIDUAL IS GUILTY OF FEMALE GENITAL MUTILATION IF THE INDIVIDUAL:

(1) IS LEGALLY RESPONSIBLE AND CHARGED WITH THE CARE OR CUSTODY OF A CHILD UNDER THE AGE OF 18 YEARS; AND

(2) KNOWINGLY CONSENTS TO THE CIRCUMCISION, EXCISION, OR INFIBULATION OF THE WHOLE OR ANY PART OF THE LABIA MAJORA OR LABIA MINORA OR CLITORIS OF THE CHILD.

20-602.

(A) A SURGICAL OPERATION IS NOT A VIOLATION OF THIS SUBTITLE IF THE OPERATION--