



Senate

General Assembly

File No. 727

January Session, 2025

Senate Bill No. 1438

Senate, April 17, 2025

The Committee on Judiciary reported through SEN. WINFIELD of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT PROHIBITING FEMALE GENITAL MUTILATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2025*) (a) Except as provided in
2 subsection (b) of this section, a person is guilty of performing female
3 genital mutilation when such person knowingly circumcises, excises or
4 infibulates the whole or any part of the labia majora or labia minora or
5 clitoris of a person under eighteen years of age.

6 (b) A surgical operation is not a violation of subsection (a) of this
7 section if such operation is (1) necessary to the health of the person on
8 whom it is performed and is performed by a physician licensed
9 pursuant to chapter 370 of the general statutes; or (2) performed on a
10 person in labor or who has just given birth for a medical purpose related
11 to such labor or birth by a physician licensed pursuant to chapter 370 of
12 the general statutes, a nurse-midwife licensed pursuant to chapter 377
13 of the general statutes or a person in training to become such a physician
14 or nurse-midwife. For purposes of this subsection, a surgical operation
15 is not (A) necessary to the health of the person on whom it is performed,

16 or (B) for a medical purpose, if the basis for such necessity or purpose is
17 based on the belief of the person performing the operation or any other
18 person that such operation is required as a matter of custom or ritual.

19 (c) Performing female genital mutilation is a class D felony.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2025</i>	New section
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JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 26 \$	FY 27 \$
Judicial Dept. (Probation); Correction, Dept.	GF - Potential Cost	Minimal	Minimal
Resources of the General Fund	GF - Potential Revenue Gain	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill creates a new class D felony for performing female genital mutilation on a minor, which results in a potential cost to the Department of Correction and the Judicial Department for incarceration or probation and a potential revenue gain to the General Fund from fines. On average, the marginal cost to the state for incarcerating an offender for the year is \$3,300¹ while the average marginal cost for supervision in the community is less than \$600² each year for adults and \$450 each year for juveniles.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the actual number of violations.

¹ Inmate marginal cost is based on increased consumables (e.g., food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

² Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

OLR Bill Analysis**SB 1438*****AN ACT PROHIBITING FEMALE GENITAL MUTILATION.*****SUMMARY**

This bill generally makes it a class D felony, punishable by up to five years in prison, up to a \$5,000 fine, or both, to perform female genital mutilation (FGM) on a minor. A person performs FGM when he or she knowingly circumcises, excises, or infibulates the whole or any part of the labia majora, labia minora, or clitoris of a person under age 18.

Under the bill, an operation is not FGM if it is performed by a (1) licensed physician and necessary for the person's health or (2) licensed physician, nurse-midwife, or physician or nurse-midwife in training on a person in labor or immediately after childbirth and is for a medical purpose related to the birth or labor. An operation is not considered necessary for the person's health or for a medical purpose if that is based on a belief of the health care provider, or anyone else, that custom or ritual requires it.

EFFECTIVE DATE: October 1, 2025

BACKGROUND***Related Federal Law***

Federal law makes it a crime to knowingly perform FGM on a minor when one of certain conditions were met to establish a link to interstate or foreign commerce (e.g., the victim or defendant crossed state or U.S. borders for the procedure, or payment for the procedure was done through interstate or foreign commerce). The federal law contains a similar definition for FGM and provides similar exceptions (18 U.S.C. § 116).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 41 Nay 0 (04/04/2025)