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## 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)