

House File 299 - Introduced

HOUSE FILE 299

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KERR, BAXTER, THOMPSON,
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A BILL FOR

- 1 An Act creating the criminal offense of female genital
- 2 mutilation and providing penalties.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 708.16 Female genital mutilation.

2 1. Except as otherwise provided in subsection 2, a person
3 who knowingly circumcises, excises, or infibulates, in whole or
4 in part, the labia majora, labia minora, or clitoris of another
5 person commits a class "D" felony. Consent to the procedure
6 by a minor on whom the procedure is performed or by the minor's
7 parent, guardian, or custodian is not a defense to a violation
8 of this section.

9 2. A medical or surgical procedure is not a violation of
10 subsection 1 if the procedure is performed by a physician
11 licensed under chapter 148 under any of the following
12 circumstances:

13 a. When necessary to protect the health of the person on
14 whom the procedure is performed.

15 b. When performed on a person who is in labor or who
16 has just given birth and is performed for medical purposes
17 connected with that labor or birth.

18 3. A person who knowingly transports another person outside
19 this state for the performance of a procedure that would be a
20 violation of subsection 1 if the procedure occurred in this
21 state, commits a class "D" felony.

22 EXPLANATION

23 The inclusion of this explanation does not constitute agreement with
24 the explanation's substance by the members of the general assembly.

25 This bill creates the criminal offense of female genital
26 mutilation and provides penalties.

27 The bill provides that a person who knowingly circumcises,
28 excises, or infibulates, in whole or in part, the labia majora,
29 labia minora, or clitoris of another person commits a class
30 "D" felony. Consent to the procedure by a minor or by the
31 minor's parent, guardian, or custodian is not a defense to a
32 violation of the bill. A medical or surgical procedure is not
33 a violation of the bill if performed by a licensed physician
34 when necessary to protect the health of the person on whom the
35 procedure is performed or when performed on a person in labor

1 or who has just given birth for medical purposes connected with
2 that labor or birth. A person who knowingly transports another
3 person outside this state for the performance of female genital
4 mutilation that would be a violation of the bill if the conduct
5 occurred in this state, commits a class "D" felony.

6 A class "D" felony is punishable by confinement for no more
7 than five years and a fine of at least \$750 but not more than
8 \$7,500.