

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

**SENATE BILL 9
RATIFIED BILL**

AN ACT TO CLARIFY THE PROHIBITION ON THE MUTILATION OF THE GENITALS
OF A FEMALE UNDER THE AGE OF 18 YEARS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 8 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-28.1. Female genital mutilation of a child.

(a) Legislative Intent. – The General Assembly finds that female genital mutilation is a crime that causes a long-lasting impact on the victim's quality of life and has been recognized internationally as a violation of the human rights of girls and women. The practice is mostly carried out on girls under the age of 15 years old. The General Assembly also recognizes that the practice includes any procedure that intentionally alters or injures the female genital organs for nonmedical reasons. These procedures can cause severe pain, excessive bleeding, urinary problems, and death. Therefore, the General Assembly enacts this law to protect these vulnerable victims.

(b) Mutilation. – A person who knowingly and unlawfully circumcises, excises, or infibulates the whole or any part of the labia majora, labia minora, or clitoris of a child less than 18 years of age is guilty of a Class C felony.

(c) Consent to Mutilation. – A parent, or a person providing care to or supervision of a child less than 18 years of age, who consents to or permits the unlawful circumcision, excision, or infibulation, in whole or in any part, of the labia majora, labia minora, or clitoris of the child, is guilty of a Class C felony.

(d) Removal for Mutilation. – A parent, or a person providing care to or supervision of a child less than 18 years of age, who knowingly removes or permits the removal of the child from the State for the purpose of having the child's labia majora, labia minora, or clitoris circumcised, excised, or infibulated, is guilty of a Class C felony.

(e) Exceptions. – A surgical operation is not a violation of this section if the operation meets either of the following requirements:

- (1) The operation is necessary to the health of the person on whom it is performed and is performed by a person licensed in the State as a medical practitioner.
- (2) The operation is performed on a person in labor who has just given birth and is performed for medical purposes connected with that labor or birth by a person licensed in this State as a medical practitioner or certified nurse midwife, or a person in training to become licensed as a medical practitioner or certified nurse midwife.

(f) No Defense. – It is not a defense to prosecution under this section that the person on whom the circumcision, excision, or infibulation is performed, or any other person, believes that the circumcision, excision, or infibulation is required as a matter of custom or ritual, or that the person on whom the circumcision, excision, or infibulation is performed consented to the circumcision, excision, or infibulation."



SECTION 2. If any provision of this act or its application is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provisions or application, and to this end, the provisions of this act are severable.

SECTION 3. This act becomes effective October 1, 2019, and applies to offenses committed on or after that date.

In the General Assembly read three times and ratified this the 23rd day of July, 2019.

s/ Ralph E. Hise
Presiding Officer of the Senate

s/ Tim Moore
Speaker of the House of Representatives

Roy Cooper
Governor

Approved _____m. this _____ day of _____, 2019