

1-1 By: Nelson, et al. S.B. No. 323
1-2 (In the Senate - Filed April 25, 2017; April 25, 2017, read
1-3 first time and referred to Committee on State Affairs; May 1, 2017,
1-4 reported adversely, with favorable Committee Substitute by the
1-5 following vote: Yeas 9, Nays 0; May 1, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Huffman	X		
1-9	Hughes	X		
1-10	Birdwell	X		
1-11	Creighton	X		
1-12	Estes	X		
1-13	Lucio	X		
1-14	Nelson	X		
1-15	Schwertner	X		
1-16	Zaffirini	X		

1-17 COMMITTEE SUBSTITUTE FOR S.B. No. 323 By: Nelson

1-18 A BILL TO BE ENTITLED
1-19 AN ACT

1-20 relating to the offense of female genital mutilation.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 167.001, Health and Safety Code, is
1-23 amended by amending Subsection (a) and adding Subsection (d) to
1-24 read as follows:

1-25 (a) A person commits an offense if the person:

1-26 (1) knowingly circumcises, excises, or infibulates
1-27 any part of the labia majora or labia minora or clitoris of another
1-28 person who is younger than 18 years of age;

1-29 (2) is a parent or legal guardian of another person who
1-30 is younger than 18 years of age and knowingly consents to or permits
1-31 an act described by Subdivision (1) to be performed on that person;
1-32 or

1-33 (3) knowingly transports or facilitates the
1-34 transportation of another person who is younger than 18 years of age
1-35 within this state or from this state for the purpose of having an
1-36 act described by Subdivision (1) performed on that person.

1-37 (d) It is not a defense to prosecution under this section
1-38 that:

1-39 (1) the person on whom the circumcision, excision, or
1-40 infibulation was performed or was to be performed, or another
1-41 person authorized to consent to medical treatment of that person,
1-42 including that person's parent or legal guardian, consented to the
1-43 circumcision, excision, or infibulation;

1-44 (2) the circumcision, excision, or infibulation is
1-45 required by a custom or practice of a particular group; or

1-46 (3) the circumcision, excision, or infibulation was
1-47 performed or was to be performed as part of or in connection with a
1-48 religious or other ritual.

1-49 SECTION 2. The change in law made by this Act applies only
1-50 to an offense committed on or after the effective date of this Act.
1-51 An offense committed before the effective date of this Act is
1-52 governed by the law in effect on the date the offense was committed,
1-53 and the former law is continued in effect for that purpose. For
1-54 purposes of this section, an offense was committed before the
1-55 effective date of this Act if any element of the offense occurred
1-56 before that date.

1-57 SECTION 3. This Act takes effect September 1, 2017.

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