



# HOUSE BILL No. 6095

September 18, 1996, Introduced by Reps. Schroer, Anthony, Brater, Baird, Gubow and Scott and referred to the Committee on Judiciary and Civil Rights.

A bill to amend Act No. 328 of the Public Acts of 1931, entitled as amended

"The Michigan penal code,"

as amended, being sections 750.1 to 750.568 of the Michigan Compiled Laws, by adding section 397b.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. Act No. 328 of the Public Acts of 1931, as  
2 amended, being sections 750.1 to 750.568 of the Michigan Compiled  
3 Laws, is amended by adding section 397b to read as follows:

4 SEC. 397B. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), A  
5 PERSON WHO IN WHOLE OR IN PART CIRCUMCISES, EXCISES, INFIBULATES,  
6 OR OTHERWISE MODIFIES OR REMOVES THE LABIA MAJORA, LABIA MINORA,  
7 CLITORIS, OR OTHER EXTERNAL FEMALE GENITALIA OF ANOTHER  
8 INDIVIDUAL IS GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR

1 NOT MORE THAN 10 YEARS OR A FINE OF NOT MORE THAN \$5,000.00, OR  
2 BOTH.

3 (2) SUBSECTION (1) DOES NOT APPLY TO A SURGICAL PROCEDURE  
4 PERFORMED BY A PHYSICIAN THAT IS 1 OR MORE OF THE FOLLOWING:

5 (A) NECESSARY FOR THE HEALTH OF THE INDIVIDUAL ON WHOM IT IS  
6 PERFORMED.

7 (B) NECESSARY TO CORRECT AN ANATOMICAL ABNORMALITY.

8 (C) PERFORMED ON AN INDIVIDUAL WHO IS IN LABOR OR WHO HAS  
9 GIVEN BIRTH AND IS FOR A MEDICAL PURPOSE CONNECTED WITH THAT  
10 LABOR OR BIRTH.

11 (3) IT IS NOT A DEFENSE TO A VIOLATION OF SUBSECTION (1)  
12 THAT THE PERSON BELIEVED THE VIOLATION WAS REQUIRED BY A CUSTOM,  
13 RITUAL, RELIGIOUS PRACTICE, OR STANDARD OF PRACTICE.

14 (4) AS USED IN THIS SECTION, "PHYSICIAN" MEANS AN INDIVIDUAL  
15 LICENSED TO ENGAGE IN THE PRACTICE OF MEDICINE OR THE PRACTICE OF  
16 OSTEOPATHIC MEDICINE AND SURGERY UNDER ARTICLE 15 OF THE PUBLIC  
17 HEALTH CODE, ACT NO. 368 OF THE PUBLIC ACTS OF 1978, BEING SEC-  
18 TIONS 333.16101 TO 333.18838 OF THE MICHIGAN COMPILED LAWS.