

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2017**

Introduced by Reps. Hoitenga, Hughes, Victory, Sheppard, Kesto, Hauck, Hornberger, Greimel, Chang, Farrington, Leutheuser, Lasinski, Faris, Griffin, Lucido, Rendon, Alexander, Whiteford, Kelly, Bizon, Kahle, VanderWall, Sabo, Sowerby, Moss, Hammoud, Brinks, Geiss, Ellison, Camilleri, Phelps, Jones, Chirkun, Durhal, Gay-Dagnogo, Clemente, Cochran, Peterson, Dianda, Love, Hoadley, Pagan, Garrett, Green, Yanez, Rabhi, Byrd, Schor, Neeley, Scott, Wittenberg, Zemke, Pagel, LaSata, Calley, Greig, Allor, Lower and Lilly

ENROLLED HOUSE BILL No. 4636

AN ACT to amend 1931 PA 328, entitled "An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," (MCL 750.1 to 750.568) by adding section 136.

The People of the State of Michigan enact:

Sec. 136. (1) A person shall not knowingly circumcise, excise, or infibulate the whole or any part of the labia majora or labia minora or clitoris of another person who is less than 18 years of age.

(2) A surgical operation is not a violation of this section if the operation is either of the following:

(a) Necessary to the health of the person on whom it is performed and is performed by a person licensed to perform that operation under the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.

(b) Performed on a person in labor or who has just given birth and is performed for medical purposes connected with that labor or birth by a person licensed to perform that operation under the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.

(3) A person shall not knowingly facilitate a violation of subsection (1).

(4) A person who violates this section is guilty of a felony punishable by imprisonment for not more than 15 years.

(5) It is not a defense to prosecution under this section that the person on whom the operation is performed, or any other person, believes that the operation is required as a matter of custom or ritual, or that the person on whom the operation is performed, or that person's parent or guardian, consented to the operation.

(6) A violation of this section by a person licensed under the public health code, 1978 PA 368, MCL 333.1101 to 333.25211, is grounds for permanent revocation of that license.

(7) This section does not prohibit a person from being charged with, convicted of, or punished for any other violation of law arising out of the same transaction as the violation of this section.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor