1995 ASSEMBLY BILL 926

February 21, 1996 - Introduced by Representatives Wasserman, Robson, Morris-Tatum, Riley, Notestein, Krug, R. Potter, Plache, Harsdorf, Hanson, R. Young, Gronemus, Lazich, Baldwin, Travis, Hasenohrl, Otte, Kreibich, Handrick, Lorge, Powers, Black, La Fave, Plombon, Reynolds, Gunderson, Kreuser, Wirch and Grothman, cosponsored by Senators Moore, Huelsman and Rude. Referred to Committee on Health.

- AN ACT to create 146.35 of the statutes; relating to: prohibiting circumcision,
- 2 excision or infibulation of certain genital tissue of a female minor and providing
- 3 a penalty.

Analysis by the Legislative Reference Bureau

This bill prohibits the circumcision, excision or infibulation of the labia majora, labia minora or clitoris of female minors (a practice commonly known as "female circumcision" or "female genital mutilation"). The bill provides an exception to prosecution for the violation if the procedure is performed by a licensed physician and is necessary for the health of the female minor or for correction of an anatomical abnormality. The bill prohibits use of a defense to prosecution that asserts that the minor or her parent consented to the procedure or that the procedure is required as a matter of custom or ritual.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- **Section 1.** 146.35 of the statutes is created to read:
- 5 146.35 Female genital mutilation prohibited. (1) In this section,
- 6 "infibulate" means to clasp together with buckles or stitches.
- 7 **(2)** Except as provided in sub. (3), no person may circumcise, excise or infibulate
- 8 the labia majora, labia minora or clitoris of a female minor.

for not more than 5 years or both.

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SECTION	

(3) Subsection (2) does not apply if the circumcision, excision or infibulation is
performed by a physician, as defined in s. 448.01 (5), and is necessary for the health
of the female minor or is necessary to correct an anatomical abnormality.
(4) None of the following may be asserted as a defense to prosecution for a
violation of sub. (2):
(a) Consent by the female minor or by a parent of the female minor to the
circumcision, excision or infibulation.
(b) The circumcision, excision or infibulation is required as a matter of custom
or ritual.
(5) Whoever violates sub. (2) may be fined not more than \$10,000 or imprisoned

(END)