

## **BILL ANALYSIS**

S.B. 323  
By: Nelson  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Concerned parties note the numerous negative health consequences of female genital mutilation. The goal of S.B. 323 is to strengthen legal protections for potential or actual victims of female genital mutilation.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 323 amends the Health and Safety Code to expand the conduct that constitutes an offense involving female genital mutilation to include the following conduct: knowingly consenting to or permitting a prohibited act of female genital mutilation to be performed on a person who is younger than 18 years of age, if the actor is the parent or legal guardian of that person, or knowingly transporting or facilitating the transportation of another person who is younger than 18 years of age within Texas or from Texas for the purpose of having a prohibited act of female genital mutilation performed on that person. The bill establishes that it is not a defense to prosecution for an offense involving female genital mutilation that the person on whom the circumcision, excision, or infibulation was performed or was to be performed, or another person authorized to consent to medical treatment of that person, including that person's parent or legal guardian, consented to the circumcision, excision, or infibulation; the circumcision, excision, or infibulation is required by a custom or practice of a particular group; or the circumcision, excision, or infibulation was performed or was to be performed as part of or in connection with a religious or other ritual.

### **EFFECTIVE DATE**

September 1, 2017.