

BILL ANALYSIS

Senate Research Center
76R996 DLF-D

H.B. 91
By: Giddings (Ellis)
Criminal Justice
5/12/1999
Engrossed

DIGEST

The United States Congress enacted the Federal Prohibition of Female Genital Mutilation Act in 1996. However, while female genital mutilation has occurred in Texas due to immigration from regions of the world where it is practiced, this state cannot prosecute individuals who commit such acts of mutilation because they are not prohibited by state law. This bill would provide that a person commits a state jail felony if the person mutilates any part of the female genitalia of another person who is younger than 18 years of age.

PURPOSE

As proposed, H.B. 91 provides that a person commits a state jail felony if the person mutilates any part of the female genitalia of another person who is younger than 18 years of age.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 2H, Health and Safety Code, by adding Chapter 166, as follows:

CHAPTER 166. FEMALE GENITAL MUTILATION

Sec. 166.001. FEMALE GENITAL MUTILATION PROHIBITED. Provides that a person commits a state jail felony if the person knowingly mutilates any part of the female genitalia of another person who is younger than 18 years of age. Provides that it is a defense to prosecution that the person performing the act is a physician or other licensed health care professional acting within the scope of that person's license and performing the act for medical purposes.

SECTION 2. Emergency clause.
Effective date: upon passage.