

Hall of the House of Representatives
92nd General Assembly - Regular Session, 2019
Amendment Form

Subtitle of Senate Bill No. 318

TO PROHIBIT UNLAWFUL FEMALE GENITAL MUTILATION OF A MINOR; TO PROVIDE FOR A CIVIL
CAUSE OF ACTION; AND TO CREATE AWARENESS PROGRAMS CONCERNING AND STATISTICAL
TRACKING OF UNLAWFUL FEMALE GENITAL MUTILATION.

Amendment No. 1 to Senate Bill 318

Amend Senate Bill No. 318 as originally introduced:

Page 1, delete line 16, and substitute the following:

"MUTILATION; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

"TO PROHIBIT UNLAWFUL FEMALE GENITAL MUTILATION OF A MINOR; TO CREATE
AWARENESS PROGRAMS CONCERNING AND STATISTICAL TRACKING OF UNLAWFUL FEMALE
GENITAL MUTILATION; AND TO DECLARE AN EMERGENCY."

AND

Page 3, delete lines 5 through 15, and substitute the following:

"SECTION 2. Arkansas Code § 12-18-103(3)(A), concerning the definition
of abuse under the Child Maltreatment Act, is amended to add an additional
subdivision to read as follows:

(ix) Female genital mutilation.

SECTION 3. Arkansas Code § 12-18-103, concerning definitions related
to child maltreatment, is amended to add an additional subdivision to read as
follows:

(28)(A) "Female genital mutilation" means a procedure that
involves the partial or total removal of the external female genitalia or any
procedure harmful to the female genitalia, including without limitation:

(i) A clitoridectomy;

(ii) The partial or total removal of the clitoris or
the prepuce;



(iii) The excision or the partial or total removal of the clitoris and the labia minora, with or without excision of the labia majora;

(iv) The infibulation or the narrowing of the vaginal orifice with the creation of a covering seal by cutting and appositioning the labia minora or the labia majora, with or without excision of the clitoris;

(v) Pricking, piercing, incising, scraping, or cauterizing the genital area; or

(vi) Any other action to purposely alter the structure or function of the female genitalia for a nonmedical reason.

(B) "Female genital mutilation" does not include acts or conduct that otherwise would be considered female genital mutilation if the acts or conduct occur in the furtherance of a surgical or other lawful medical procedure, performed by a licensed medical professional, and:

(i) Is necessary to preserve or protect the physical health of the child upon whom the surgical or other lawful medical procedure was performed; or

(ii) Is part of a sex reassignment procedure as requested by the child who was the patient in the sex reassignment procedure."

AND

Page 4, line 25, delete "Department of Human Services" and substitute "Department of Health"

AND

Page 5, line 4, delete "Department of Health" and substitute "Department of Human Services"

AND

Page 5, line 24, delete "Department of Human Services" and substitute "Department of Health"

AND

Page 5, line 30, add the following section:

"SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the Centers for Disease Control and Prevention currently estimates that five hundred fifty-one (551) girls or women in Arkansas are at the risk of, or have undergone, female genital mutilation; that female genital mutilation is recognized globally as a human rights violation; and that this legislation is immediately needed to help the women of Arkansas as soon as possible. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;
(2) If the bill is neither approved nor vetoed by the Governor,
the expiration of the period of time during which the Governor may veto the
bill; or
(3) If the bill is vetoed by the Governor and the veto is
overridden, the date the last house overrides the veto."

AND

Renumber the sections appropriately

The Amendment was read _____

By: Representative Lundstrum
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Chief Clerk