



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

Sarah A. Maki

Am. S.B. 214

132nd General Assembly
(As Reported by H. Criminal Justice)

Sens. Terhar and Lehner, O'Brien, Bacon, Coley, Dolan, Eklund, Hackett, Hoagland, Huffman, Kunze, LaRose, Manning, McColley, Obhof, Oelslager, Peterson, Schiavoni, Sykes, Tavares, Thomas, Uecker, Williams, Wilson, Yuko

Reps. Manning, Lanese, Celebrezze, Butler, Galonski, Rogers

BILL SUMMARY

- Prohibits the practice of or facilitation of female genital mutilation.
 - Declares an emergency.
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CONTENT AND OPERATION

Female genital mutilation prohibited

The bill prohibits any person from knowingly circumcising, excising, or infibulating any part of the labia majora or labia minora or clitoris of another person who is under 18 years old. Relatedly, the bill also prohibits any person from knowingly transporting a minor to a facility or location for the purpose of facilitating such an act. A person who violates either of the bill's prohibitions is guilty of female genital mutilation, a second degree felony punishable by a term of imprisonment between two and eight years and a fine of up to \$15,000. The court must impose an additional fine on an offender of up to \$25,000.¹

¹ R.C. 2903.32(A) and (B) and 2929.14 and 2929.18, not in the bill.

Excluded conduct

The bill does not apply to any procedure performed for medical purposes if the act is performed by a licensed physician or licensed health care professional within the scope of that person's license.²

Defenses

A person charged with the offense of female genital mutilation may not raise any of the following as defenses to a violation of the bill:³

- Cultural or ritual necessity;
- Consent of the minor;
- Consent of the minor's parent or guardian.

Emergency clause

The bill, if enacted, is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The bill states that the reason for such necessity is the devastating and irreversible effect of female genital mutilation upon persons under 18 years old.⁴

HISTORY

ACTION	DATE
Introduced	10-05-17
Reported, S. Judiciary	12-03-18
Passed Senate (31-0)	12-05-18
Reported, H. Criminal Justice	12-12-18

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² R.C. 2903.32(C).

³ R.C. 2903.32(D).

⁴ Section 2.

