

STAND. COM. REP. NO.

76

Honolulu, Hawaii

February 6, 2019

RE: H.B. No. 132
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 132
entitled:

"A BILL FOR AN ACT RELATING TO FEMALE GENITAL MUTILATION,"

begs leave to report as follows:

The purpose of this measure is to prohibit female genital
mutilation and associated acts in the State by:

- (1) Requiring county prosecuting attorneys to keep and
report statistics on prosecutions and reports of the
practice;
- (2) Requiring the Department of Health to design and
implement a plan for raising awareness of, preventing,
and treating survivors of the practice; and
- (3) Establishing a class B felony offense for prohibited
acts related to female genital mutilation.

The LGBT Caucus of the Democratic Party of Hawai'i, Planned
Parenthood Votes Northwest and Hawai'i, Hawai'i Family Forum, Save
Medicaid Hawai'i, American Atheists, League of Women Voters,
Healthy Mothers Healthy Babies, Honolulu County Republican Party,
O'ahu County Committee on Legislative Priorities of the Democratic
Party of Hawai'i, American Nurses Association in Hawai'i, and many

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individuals testified in support of this measure. One individual testified in opposition to this measure. The Department of Health, Hawai'i State Commission on the Status of Women, the Sex Abuse Treatment Center, Hawai'i Women's Coalition, Midwives Alliance of Hawai'i, and one individual submitted comments.

Your Committee has amended this measure by:

- (1) Removing the language requiring the county prosecuting attorneys to collect and report statistics on violations of the new provisions prohibiting acts of female genital mutilation;
- (2) Removing the language requiring the Department of Health to develop and implement a plan for raising awareness about, preventing, and treating female genital mutilation;
- (3) Amending the elements of the felony offense to clarify that the offense:
 - (a) Encompasses only acts performed on or relating to a minor;
 - (b) Does not include acts necessary for any aspect of the minor's health; and
 - (c) Does not include acts that facilitate a minor's receipt of legitimate, medically necessary services;
- (4) Changing the effective date to July 1, 2050, to promote further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

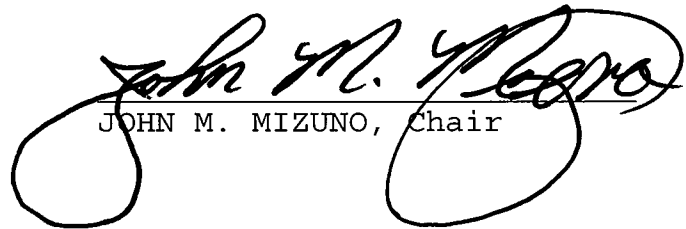
Your Committee notes that there is no statistical data indicating the prevalence of female genital mutilation in this State, and that further research into actual incidents of this practice may be warranted.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your



Committee is in accord with the intent and purpose of H.B. No. 132, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 132, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Health,


JOHN M. MIZUNO, Chair



