

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

***** 750.136.added THIS ADDED SECTION IS EFFECTIVE OCTOBER 9, 2017: See 750.136.added and 750.136.added[2] *****

750.136.added Female genital mutilation; prohibition; exemption for certain operations; violation as felony; penalty; defenses; permanent revocation of license; grounds; other violations from same transaction.

Sec. 136. (1) A person shall not knowingly circumcise, excise, or infibulate the whole or any part of the labia majora or labia minora or clitoris of another person who is less than 18 years of age.

(2) A surgical operation is not a violation of this section if the operation is either of the following:

(a) Necessary to the health of the person on whom it is performed and is performed by a person licensed to perform that operation under the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.

(b) Performed on a person in labor or who has just given birth and is performed for medical purposes connected with that labor or birth by a person licensed to perform that operation under the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.

(3) A person shall not knowingly facilitate a violation of subsection (1).

(4) A person who violates this section is guilty of a felony punishable by imprisonment for not more than 15 years.

(5) It is not a defense to prosecution under this section that the person on whom the operation is performed, or any other person, believes that the operation is required as a matter of custom or ritual, or that the person on whom the operation is performed, or that person's parent or guardian, consented to the operation.

(6) A violation of this section by a person licensed under the public health code, 1978 PA 368, MCL 333.1101 to 333.25211, is grounds for permanent revocation of that license.

(7) This section does not prohibit a person from being charged with, convicted of, or punished for any other violation of law arising out of the same transaction as the violation of this section.

History: Add. 2017, Act 68, Eff. Oct. 9, 2017.

Compiler's note: Former MCL 750.136, which pertained to cruelty of children, was repealed by Act 251 of 1988, Eff. Sept. 1, 1988.