

1 circumcision, excision, or infibulation;

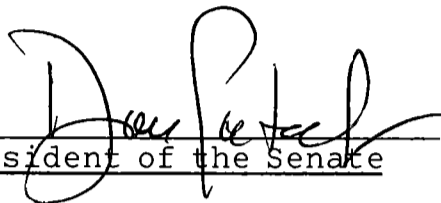
2 (2) the circumcision, excision, or infibulation is
3 required by a custom or practice of a particular group; or

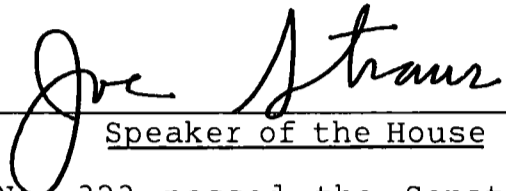
4 (3) the circumcision, excision, or infibulation was
5 performed or was to be performed as part of or in connection with a
6 religious or other ritual.

7 SECTION 2. The change in law made by this Act applies only
8 to an offense committed on or after the effective date of this Act.
9 An offense committed before the effective date of this Act is
10 governed by the law in effect on the date the offense was committed,
11 and the former law is continued in effect for that purpose. For
12 purposes of this section, an offense was committed before the
13 effective date of this Act if any element of the offense occurred
14 before that date.

15 SECTION 3. This Act takes effect September 1, 2017.

S.B. No. 323

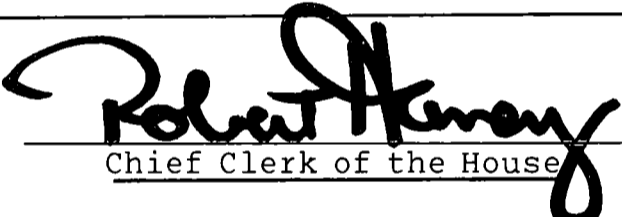

President of the Senate


Speaker of the House

I hereby certify that S.B. No. 323 passed the Senate on May 3, 2017, by the following vote: Yeas 31, Nays 0. _____


Secretary of the Senate

I hereby certify that S.B. No. 323 passed the House on May 24, 2017, by the following vote: Yeas 146, Nays 0, two present not voting. _____



Chief Clerk of the House

Approved:

6-9-2017
Date


Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
7:00 PM O'CLOCK

JUN 09 2017

Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 28, 2017

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB323 by Nelson (Relating to the offense of female genital mutilation.), Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code as it relates to the offense of female genital mutilation. Under the provisions of the bill, the offense of female genital mutilation would be expanded to include engaging in certain behavior that results in such acts to be performed on someone younger than 18 punishable by a state jail felony. The bill would also establish what would not be considered a defense to prosecution.

The Office of Court Administration and the Texas Department of Criminal Justice do not anticipate a significant fiscal impact. This analysis assumes the provisions of the bill addressing felony sanctions would not result in a significant impact on the demand for state correctional resources.

The bill would take effect September 1, 2017 and apply only to an offense committed on or after the effective date of the Act.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 696 Department of Criminal Justice

LBB Staff: UP, AG, LM

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 26, 2017

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB323 by Nelson (Relating to prohibiting female genital mutilation; imposing a penalty.),
As Introduced

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code as it relates to the prohibition of female genital mutilation. Under the provisions of the bill, the prohibition against female genital mutilation would be expanded to include knowingly transporting or permitting the transport of someone younger than 18 from or within Texas for the purpose of performing such acts. The bill would make such acts punishable by a state jail felony. The bill would also establish what would not be considered a defense to prosecution.

The Office of Court Administration and the Texas Department of Criminal Justice do not anticipate a significant fiscal impact. This analysis assumes the provisions of the bill addressing felony sanctions would not result in a significant impact on the demand for state correctional resources.

The bill would take effect immediately if a two-thirds majority vote in both houses of the Legislature is received. Otherwise, the bill would take effect on September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 696
Department of Criminal Justice

LBB Staff: UP, AG, LM

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

CRIMINAL JUSTICE IMPACT STATEMENT

85TH LEGISLATIVE REGULAR SESSION

April 28, 2017

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FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB323 by Nelson (Relating to the offense of female genital mutilation.), **Committee Report 1st House, Substituted**

The bill would amend the Health and Safety Code as it relates to the offense of female genital mutilation. Under the provisions of the bill, the offense of female genital mutilation would be expanded to include engaging in certain behavior that results in such acts to be performed on someone younger than 18 punishable by a state jail felony. The bill would also establish what would not be considered a defense to prosecution.

A state jail felony is punishable by confinement in a state jail for a term from 180 days to 2 years or Class A misdemeanor punishment. In addition to confinement, most felony offenses are subject to an optional fine not to exceed \$10,000.

Expanding the list of behaviors for which a criminal penalty is applied is expected to result in increased demands on the correctional resources of the counties or of the State due to a potential increase in the number of individuals placed under supervision in the community or sentenced to a term of confinement within state correctional institutions. However, this analysis assumes the provisions of the bill addressing felony sanctions would not result in a significant impact on the demand for state correctional resources. In fiscal year 2016, fewer than 10 individuals were arrested, fewer than 10 were placed under felony community supervision, and fewer than 10 were admitted into state correctional institutions for the offense of female genital mutilation under existing statute.

Source Agencies:

LBB Staff: UP, LM

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

CRIMINAL JUSTICE IMPACT STATEMENT

85TH LEGISLATIVE REGULAR SESSION

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A state jail felony is punishable by confinement in a state jail for a term from 180 days to 2 years or Class A misdemeanor punishment. In addition to confinement, most felony offenses are subject to an optional fine not to exceed \$10,000.

Expanding the list of behaviors for which a criminal penalty is applied is expected to result in increased demands on the correctional resources of counties or of the State due to a potential increase in the number of individuals placed under supervision in the community or sentenced to a term of confinement within state correctional institutions. However, this analysis assumes the provisions of the bill addressing felony sanctions would not result in a significant impact on the demand for state correctional resources. In fiscal year 2016, fewer than 10 individuals were arrested, fewer than 10 were placed under felony community supervision, and fewer than 10 were admitted into state correctional institutions for female genital mutilation under existing statute.

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