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# A BILL FOR AN ACT

RELATING TO FEMALE GENITAL MUTILATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that female genital  
2       mutilation/cutting (FGM/C) is a harmful practice recognized  
3       internationally as a human rights violation and a form of  
4       gender-based violence against women and girls. Female genital  
5       mutilation/cutting has no health benefits and causes lifelong  
6       physical and psychological harm, including pain, infections,  
7       childbirth complications, and trauma. Though often practiced in  
8       secrecy, female genital mutilation/cutting occurs in Hawaii and  
9       the United States more broadly. Federal law prohibits female  
10      genital mutilation/cutting on minors, but state laws are  
11      critical to ensure timely prevention, local enforcement,  
12      survivor support, and community engagement.

13      The purpose of this Act is to establish the offense of  
14      prohibited acts of female genital mutilation of a minor and  
15      civil remedies for victims of that offense.



SECTION 2. Chapter 657, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

**"§657- Civil action arising from prohibited acts related to female genital mutilation of a minor. (a) A victim of female genital mutilation may bring an action for damages against a person for a violation of section 707-**

**(b) If a court determines that an individual violated section 707- , the court may award actual, compensatory, and punitive damages and any other appropriate relief. A prevailing plaintiff shall be awarded attorneys' fees and costs.**

**(c) A civil action under this section may be commenced:**

**(1) Within ten years after the date the victim was subjected to the act of female genital mutilation pursuant to section 707- ; or**

**(2) Until ten years after the eighteenth birthday of the victim."**

SECTION 3. Chapter 707, Hawaii Revised Statutes, is amended by adding a new section to part III to be appropriately designated and to read as follows:



1        "§707-       Prohibited acts related to female genital  
2 mutilation of a minor.    (1)   A person commits the offense of  
3 prohibited acts related to female genital mutilation of a minor  
4 if the person intentionally or knowingly:

5        (a)   Performs female genital mutilation on a minor;  
6        (b)   Is a parent, guardian, or other person having  
7               immediate custody or control of a minor and consents  
8               to, aids, permits, or otherwise facilitates female  
9               genital mutilation of the minor; or

10       (c)   Removes or facilitates the removal of a minor from the  
11               State for the purpose of facilitating female genital  
12               mutilation of a minor.

13       (2)   It shall not be a defense to prosecution for a  
14 violation of this section that the procedure or conduct  
15 described in subsection (1):

16       (a)   Is required as a matter of custom, ritual, or  
17               religious practice;

18       (b)   Was consented to by the minor who was subjected to  
19               female genital mutilation; or

20       (c)   Was consented to by the parent, guardian, or other  
21               person legally responsible or charged with the care or



1           custody of the minor who was subjected to female  
2           genital mutilation.

3           (3) A health care provider licensed pursuant to chapter  
4   453 who performs the procedure described in subsection (1) (a)  
5   shall not be subject to criminal liability under this section if  
6   the procedure is:

7           (a) Necessary to protect or preserve the physical health  
8           of the minor;

9           (b) Performed on a person in labor or who has just given  
10          birth, and is performed for medically necessary  
11          purposes connected with that labor or birth; or

12          (c) Part of a gender affirming care requested by the  
13          person to whom the care is being provided.

14          (4) Prohibited acts related to female genital mutilation  
15   is a mandatory reportable offense for any person required to  
16   report child abuse under section 350-1.1.

17          (5) Nothing in this section is intended to affect any  
18   civil remedies available for a violation of this section.

19          (6) Prohibited acts related to female genital mutilation  
20   shall be a class B felony.



1       (7) The statute of limitations for a prosecution for  
2       female genital mutilation of a minor under this section shall  
3       not begin to run until the victim reaches eighteen years of age  
4       or when the violation is first reported to a law enforcement  
5       agency, whichever occurs first.

6       (8) For purposes of this section:

7       "Female genital mutilation" means any procedure performed  
8       for non-medical reasons that involves the partial or total  
9       removal of, or other injury to, the external female genitalia,  
10      including:

11      (a) A clitoridectomy or the partial or total removal of  
12      the clitoris, prepuce, or clitoral hood;

13      (b) Excision or the partial or total removal with or  
14      without excision of the clitoris or the labia minora  
15      with or without removal of the labia majora;

16      (c) Infibulation or the narrowing of the vaginal opening  
17      with or without excision of the clitoris; or

18      (d) Other procedures that are harmful to the external  
19      female genitalia, including pricking, piercing,  
20      incising, scraping, or cauterizing the genital area.

21      "Minor" means any person less than eighteen years old."



# H.B. NO. 2448

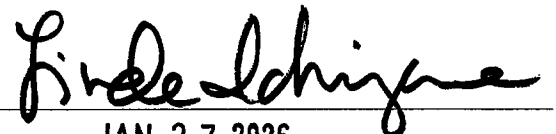
1       SECTION 4. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4       SECTION 5. New statutory material is underscored.

5       SECTION 6. This Act shall take effect upon its approval.

6

INTRODUCED BY:

  
JAN 27 2026



# H.B. NO. 2448

**Report Title:**

Female Genital Mutilation; Civil Remedies; Criminal Offense

**Description:**

Establishes the offense of prohibited acts of female genital mutilation of a minor and civil remedies for victims of that offense.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

