



Senate

General Assembly

File No. 586

February Session, 2026

Substitute Senate Bill No. 259

Senate, April 13, 2026

The Committee on Judiciary reported through SEN. WINFIELD of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING FEMALE GENITAL MUTILATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2026*) (a) Except as provided in
2 subsection (b) of this section, a person is guilty of performing female
3 genital mutilation when such person knowingly circumcises, excises or
4 infibulates the whole or any part of the labia majora or labia minora or
5 clitoris of a person under eighteen years of age.

6 (b) A surgical operation is not a violation of subsection (a) of this
7 section if such operation is (1) (A) necessary to the health of the person
8 on whom it is performed, (B) for a medical purpose, and (C) performed
9 by a physician licensed pursuant to chapter 370 of the general statutes
10 or other licensed health care professional acting within the scope of their
11 profession, or (2) performed on a person in labor or who has just given
12 birth and for a medical purpose related to such labor or birth by (A) a
13 physician licensed pursuant to chapter 370 of the general statutes, (B) a
14 nurse-midwife licensed pursuant to chapter 377 of the general statutes,
15 (C) a person in training to become such a physician or nurse-midwife,

16 or (D) other licensed health care professional acting within the scope of
17 their profession. For purposes of this subsection, a surgical operation is
18 not (i) necessary to the health of the person on whom it is performed, or
19 (ii) for a medical purpose, if the basis for such necessity or purpose is
20 based on the belief of the person performing the operation or any other
21 person that such operation is required as a matter of custom or ritual.

22 (c) Performing female genital mutilation is a class D felony.

23 Sec. 2. Section 54-86g of the general statutes is repealed and the
24 following is substituted in lieu thereof (*Effective October 1, 2026*):

25 (a) In any criminal prosecution of an offense involving female genital
26 mutilation, assault, sexual assault or abuse of a child twelve years of age
27 or younger, the court may, upon motion of the attorney for any party,
28 order that the testimony of the child be taken in a room other than the
29 courtroom in the presence and under the supervision of the trial judge
30 hearing the matter and be televised by closed circuit equipment in the
31 courtroom or recorded for later showing before the court. Only the
32 judge, the defendant, the attorneys for the defendant and for the state,
33 persons necessary to operate the equipment and any person who would
34 contribute to the welfare and well-being of the child may be present in
35 the room with the child during his testimony, except that the court may
36 order the defendant excluded from the room or screened from the sight
37 and hearing of the child only if the state proves, by clear and convincing
38 evidence, that the child would be so intimidated, or otherwise inhibited,
39 by the physical presence of the defendant that a compelling need exists
40 to take the testimony of the child outside the physical presence of the
41 defendant in order to insure the reliability of such testimony. If the
42 defendant is excluded from the room or screened from the sight and
43 hearing of the child, the court shall ensure that the defendant is able to
44 observe and hear the testimony of the child, but that the child cannot see
45 or hear the defendant. The defendant shall be able to consult privately
46 with his attorney at all times during the taking of the testimony. The
47 attorneys and the judge may question the child. If the court orders the
48 testimony of a child to be taken under this subsection, the child shall not

49 be required to testify in court at the proceeding for which the testimony
50 was taken.

51 (b) In any criminal prosecution of an offense involving female genital
52 mutilation, assault, sexual assault or abuse of a child twelve years of age
53 or younger, the court may, upon motion of the attorney for any party,
54 order that the following procedures be used when the testimony of the
55 child is taken: (1) Persons shall be prohibited from entering and leaving
56 the courtroom during the child's testimony; (2) an adult who is known
57 to the child and with whom the child feels comfortable shall be
58 permitted to sit in close proximity to the child during the child's
59 testimony, provided such person shall not obscure the child from the
60 view of the defendant or the trier of fact; (3) the use of anatomically
61 correct dolls by the child shall be permitted; and (4) the attorneys for the
62 defendant and for the state shall question the child while seated at a
63 table positioned in front of the child, shall remain seated while posing
64 objections and shall ask questions and pose objections in a manner
65 which is not intimidating to the child.

66 Sec. 3. Section 54-86h of the general statutes is repealed and the
67 following is substituted in lieu thereof (*Effective October 1, 2026*):

68 No witness shall be automatically adjudged incompetent to testify
69 because of age and any child who is a victim of female genital
70 mutilation, assault, sexual assault or abuse shall be competent to testify
71 without prior qualification. The weight to be given the evidence and the
72 credibility of the witness shall be for the determination of the trier of
73 fact.

74 Sec. 4. (NEW) (*Effective October 1, 2026*) Any person aggrieved by a
75 violation of section 1 of this act may bring a civil action in the superior
76 court for the judicial district where such person resides against the
77 person or persons who committed such violation to recover
78 compensatory damages, punitive damages or any other relief deemed
79 appropriate by the court.

80 Sec. 5. (NEW) (*Effective October 1, 2026*) In all actions pursuant to

81 section 4 of this act, the immunity between parent and child in such
82 action brought by a child against such child's parent or on behalf of a
83 child against such child's parent is abrogated.

84 Sec. 6. (NEW) (*Effective October 1, 2026, and applicable to all cases filed*
85 *on or after said date*) Notwithstanding the provisions of section 52-577 of
86 the general statutes, no action to recover damages for personal injury to
87 a person under eighteen years of age caused by the performance of
88 female genital mutilation upon such person may be brought by such
89 person later than thirty years from the date such person attains the age
90 of eighteen.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2026</i>	New section
Sec. 2	<i>October 1, 2026</i>	54-86g
Sec. 3	<i>October 1, 2026</i>	54-86h
Sec. 4	<i>October 1, 2026</i>	New section
Sec. 5	<i>October 1, 2026</i>	New section
Sec. 6	<i>October 1, 2026, and applicable to all cases filed on or after said date</i>	New section

JUD Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$
Correction, Dept.; Judicial Dept. (Probation)	GF - Potential Cost	Minimal	Minimal
Resources of the General Fund	GF - Potential Revenue Gain	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill creates a new class D felony for performing female genital mutilation on a minor, resulting in a potential cost to the Department of Correction and the Judicial Department for incarceration or probation and a potential revenue gain to the General Fund from fines. On average, the marginal cost to the state for incarcerating an offender for the year is \$3,300¹ while the average marginal cost for supervision in the community is less than \$600² each year for adults and \$450 each year for juveniles.

The Out Years

¹ Inmate marginal cost is based on increased consumables (e.g., food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these expenses would only be realized if a unit or facility opened.

² Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of offenses and fines collected.

OLR Bill Analysis**sSB 259*****AN ACT CONCERNING FEMALE GENITAL MUTILATION.*****SUMMARY**

This bill generally makes it a class D felony, punishable by up to five years in prison, up to a \$5,000 fine, or both, to perform female genital mutilation (FGM) on a minor.

The bill establishes that a child FGM victim is qualified to testify without prior qualification, and leaves it up to the jury (or the judge in nonjury trials) to determine the weight and credibility to give to the child's testimony. It also authorizes a court to use special procedures when a child age 12 or younger is testifying in these cases, including allowing the child to be videotaped rather than having to testify in open court.

The bill also allows a victim to sue the person who performed FGM on her (including the victim's parent, when applicable) to recover compensatory or punitive damages or other relief the court considers appropriate. It allows the victim to bring the lawsuit, in the judicial district where she lives, at any time until her 48th birthday. Existing law generally has a three-year statute of limitations for civil torts.

Under the bill, a person performs FGM when he or she knowingly circumcises, excises, or infibulates the whole or any part of the labia majora, labia minora, or clitoris of a person under age 18. But an operation is not FGM if it is:

1. necessary for the person's health, for a medical purpose, and performed by a licensed physician or another licensed health professional acting within their scope of practice; or

2. performed on someone in labor or immediately after childbirth, is for a related medical purpose, and performed by a licensed physician or nurse-midwife, person in training to be a physician or nurse-midwife, or other licensed health professional acting within their scope of practice.

An operation is not considered necessary for the person's health or for a medical purpose if it is based on a belief of the health care provider, or anyone else, that custom or ritual requires it.

EFFECTIVE DATE: October 1, 2026, and the provision on the civil statute of limitations applies to cases filed on or after that date.

§ 2 — PROCEDURES TO TAKE TESTIMONY OF CHILD VICTIM

For criminal FGM cases involving children age 12 or younger, the bill applies special procedures that under existing law already apply to cases involving assault, sexual assault, or abuse of children of that same age.

Videotaped Testimony. Under these procedures, the court, upon the motion of either party's attorney, may order that the child's testimony be taken (in the judge's presence) in a room other than the courtroom. The testimony can be shown simultaneously in the courtroom via closed circuit television or videotaped for later showing before the court.

The judge and the attorneys may question the child. Generally, the only people allowed in the room with the child (other than the camera operator) are the judge, the defendant, both sides' attorneys, and any person who would contribute to the child's welfare and well-being. But the court can exclude the defendant (or order the defendant to be screened from the child's sight and hearing) if the state proves, by clear and convincing evidence, that his or her presence would intimidate or inhibit the child so much that there is a compelling need to exclude the defendant in order to ensure that the child's testimony is reliable.

If the court excludes the defendant, it must ensure that the child cannot see or hear the defendant, but that the defendant is able to see

and hear the child testify. The defendant also must be able to consult privately and at all times with his or her attorney during the testimony.

Other Procedures. Under these procedures, the court may also take any of the following steps when the child is testifying, upon the motion of either party's attorney:

1. prohibit anyone from entering or leaving the courtroom during that time;
2. have an adult the child knows and is comfortable with sit close to her while she testifies, as long as that person does not screen the child from the sight of the defendant or trier of fact (judge or jury);
3. allow the child to use anatomically correct dolls; and
4. require the attorneys to ask their questions and pose objections while seated and to raise objections and ask questions in a non-intimidating manner.

BACKGROUND

Related Federal Law

Federal law makes it a crime to knowingly perform FGM on a minor when one of certain conditions were met to establish a link to interstate or foreign commerce (for example, the victim or defendant crossed state or U.S. borders for the procedure, or payment for the procedure was sent through interstate or foreign commerce). The federal law contains a similar definition for FGM as this bill and allows similar exceptions (18 U.S.C. § 116).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 37 Nay 0 (03/24/2026)