

2016 -- S 2676

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LC005285
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO FISH AND WILDLIFE - GENERAL PROVISIONS

Introduced By: Senators Sosnowski, Ruggerio, Walaska, and DiPalma

Date Introduced: March 08, 2016

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 20-1 of the General Laws entitled "General Provisions" is hereby
2 amended by adding thereto the following section:

3 **20-1-29. Trade in shark fins.** – (a) For the purpose of this section:

4 (1) "Shark" means any species of the subclass Elasmobranchii; and

5 (2) "Shark fin" means the raw, dried or otherwise processed detached fin, or the raw,
6 dried or otherwise processed detached tail, of a shark.

7 (b) Except as provided in this section, no person shall possess, sell, offer for sale, trade or
8 distribute a shark fin.

9 (c) A person who holds a license or permit to take or land sharks may separate a shark fin
10 from a lawfully landed shark during the ordinary course of preparing the body of the shark for
11 consumption, sale, trade or distribution; provided, however, that a shark fin so separated from the
12 shark shall be immediately destroyed unless used by the person for the purposes of taxidermy and
13 subsequent display.

14 (d) The director of the department of environmental management may issue a permit for
15 the possession of a shark fin to a person conducting noncommercial, scientific research.

16 (e) Any shark fin seized by the director of the department of environmental management
17 or the director's agents through the enforcement of this section shall be destroyed.

18 (f) Any person who violates the provisions of this section shall be punished by a fine of
19 not less than five hundred (\$500) dollars, nor more than one thousand (\$1,000) dollars, or by

1 imprisonment for not more than ninety (90) days, or by both such fine and imprisonment;
2 provided, however, that each shark fin possessed, sold, offered for sale, traded or distributed in
3 violation of this section shall constitute a separate offense. Provided further a violation of this
4 section by a person holding a commercial or recreational license or permit pursuant to this
5 chapter shall result in the suspension or revocation of such license or permit.

6 SECTION 2. This act shall take effect on January 1, 2017.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would prohibit the possession of shark fins by all persons except that a person
2 duly licensed and who lands a shark may during the ordinary course of preparing the shark for
3 consumption or sale, may detach the fin, which must then immediately be destroyed unless it is
4 being used for purposes of taxidermy. The director of DEM may issue a permit for the possession
5 of a shark fin for noncommercial scientific research.

6 This act would take effect on January 1, 2017.

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