

2016 -- H 7440

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LC004348
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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: Representatives Shekarchi, Serpa, Lima, Gallison, and O'Brien

Date Introduced: February 03, 2016

Referred To: House Environment and Natural Resources

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; it does not include smooth
5 dogfish (smooth hounds), spiny dogfish, or species in the suborder Batoidea;

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

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

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

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

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

19 (f) Any person who violates the provisions of this section shall be punished by a fine of

1 not less than five hundred (\$500) dollars, nor more than one thousand (\$1,000) dollars, or by
2 imprisonment for not more than ninety (90) days, or by both such fine and imprisonment;
3 provided, however, that each shark fin possessed, sold, offered for sale, traded or distributed in
4 violation of this section shall constitute a separate offense. Provided further, a violation of this
5 section by a person holding a commercial or recreational license or permit pursuant to this
6 chapter shall result in the suspension or revocation of such license or permit.

7 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 sale or trade of shark fins by those without a
2 permit and would make those in violation of this act guilty of a misdemeanor. Permits for limited
3 purposes would be issued by the department of environmental management.

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

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