

HOUSE BILL 1148

M2
HB 393/12 – ENV

3lr1386
CF SB 592

By: **Delegates Luedtke, Arora, Barkley, Barve, Cardin, Carr, Clippinger, Cullison, Dumais, Frush, Gutierrez, Hixson, Hucker, Kach, Kaiser, A. Kelly, Kipke, A. Miller, Mizeur, Morhaim, Reznik, S. Robinson, Stein, Waldstreicher, M. Washington, and Zucker**

Introduced and read first time: February 8, 2013

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 2013

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources – Shark Fins – Restriction on Possession or Distribution**

3 FOR the purpose of prohibiting a person from possessing, selling, offering for sale,
4 trading, or distributing a shark fin; exempting a certain person, museum,
5 college, or university from the prohibition against possessing a shark fin under
6 certain circumstances; requiring the Department of Natural Resources to adopt
7 regulations to implement this Act; defining certain terms; and generally
8 relating to a restriction on the possession or distribution of a shark fin.

9 BY adding to

10 Article – Natural Resources
11 Section 4–747
12 Annotated Code of Maryland
13 (2012 Replacement Volume)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Natural Resources**

17 **4–747.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **(A) (1) IN THIS SECTION, THE FOLLOWING WORDS HAVE THE**
2 **MEANINGS INDICATED.**

3 **(2) (I) “SHARK” MEANS ANY SPECIES OF THE SUBCLASS**
4 **ELASMOBRANCHII.**

5 **(II) “SHARK” DOES NOT INCLUDE SMOOTH-HOUNDS, SPINY**
6 **DOGFISH, OR SPECIES IN THE SUPERORDER BATOIDEA.**

7 **(3) “SHARK FIN” MEANS THE RAW, DRIED, OR OTHERWISE**
8 **PROCESSED DETACHED FIN OR TAIL OF A SHARK.**

9 **(B) (1) EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS**
10 **SUBSECTION, A PERSON MAY NOT POSSESS, SELL, OFFER FOR SALE, TRADE, OR**
11 **DISTRIBUTE A SHARK FIN.**

12 **(2) A PERSON MAY POSSESS A SHARK FIN IF:**

13 **(I) THE PERSON HOLDS THE APPROPRIATE STATE OR**
14 **FEDERAL LICENSE OR PERMIT AUTHORIZING THE TAKING OR LANDING OF A**
15 **SHARK FOR RECREATIONAL OR COMMERCIAL PURPOSES;**

16 **(II) THE SHARK FIN IS TAKEN FROM A SHARK THAT THE**
17 **PERSON HAS TAKEN OR LANDED; AND**

18 **(III) THE SHARK FIN IS TAKEN IN A MANNER CONSISTENT**
19 **WITH THE PERSON’S LICENSE.**

20 **(3) A MUSEUM, COLLEGE, OR UNIVERSITY MAY POSSESS A SHARK**
21 **FIN IF THE SHARK FIN IS USED SOLELY FOR DISPLAY OR RESEARCH PURPOSES.**

22 **(C) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT**
23 **THIS SECTION.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2013.