

Chapter 297

(House Bill 1148)

AN ACT concerning

Natural Resources – Shark Fins – Restriction on Possession or Distribution

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

BY adding to

Article – Natural Resources

Section 4–747

Annotated Code of Maryland

(2012 Replacement Volume)

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

Article – Natural Resources

4–747.

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

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

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

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

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

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

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

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

(III) THE SHARK FIN IS TAKEN IN A MANNER CONSISTENT WITH THE PERSON'S LICENSE.

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

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

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

Approved by the Governor, May 2, 2013.