
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1038 Session of
2020

INTRODUCED BY LEACH, FEBRUARY 13, 2020

REFERRED TO JUDICIARY, FEBRUARY 13, 2020

AN ACT

1 Amending Title 12 (Commerce and Trade) of the Pennsylvania
2 Consolidated Statutes, prohibiting the sale of shark fins;
3 and imposing a penalty.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 12 of the Pennsylvania Consolidated
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 55

9 PROHIBITION ON SALE OF SHARK FINS

10 Sec.

11 5501. Definitions.

12 5502. Prohibition.

13 5503. Penalty.

14 § 5501. Definitions.

15 The following words and phrases when used in this chapter
16 shall have the meanings given to them in this section unless the
17 context clearly indicates otherwise:

18 "Shark fin." The raw, dried or otherwise processed detached
19 fin or the raw, dried or otherwise processed detached tail of a

1 member of the superorder selachimorpha. The term does not
2 include a drug approved by the United States Food and Drug
3 Administration.

4 § 5502. Prohibition.

5 (a) Prohibition.--Except as provided in subsection (b), a
6 person may not possess, sell, offer for sale, trade or
7 distribute a shark fin.

8 (b) Exceptions.--

9 (1) Possession of a shark fin is permissible if:

10 (i) the shark was landed under a license from
11 another state; and

12 (ii) the shark fin is being possessed in this
13 Commonwealth for taxidermy.

14 (2) A restaurant which possesses a shark fin before the
15 effective date of this chapter may possess, sell, offer for
16 sale, trade or distribute the shark fin:

17 (i) if the shark fin is prepared for consumption;
18 and

19 (ii) no more than one year has elapsed from the
20 effective date of this chapter.

21 § 5503. Penalty.

22 A person violating section 5502 (relating to prohibition)
23 commits a summary offense. Each shark fin possessed, sold,
24 offered for sale, traded, distributed or purchased in violation
25 of section 5502 shall constitute a separate offense.

26 Section 2. This act shall take effect in 60 days.