

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 340 Session of 2013

INTRODUCED BY ALLOWAY, LEACH, FARNESE, ERICKSON, BREWSTER, TARTAGLIONE, SCHWANK, FERLO, RAFFERTY, WOZNIAK, BOSCOLA AND COSTA, JANUARY 30, 2013

SENATOR GREENLEAF, JUDCIARY, AS AMENDED, FEBRUARY 12, 2013

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:

CHAPTER 55

PROHIBITION ON

THE SALE OF SHARK FINS

11 Sec.

12 5501. Definitions.

13 5502. Prohibition.

14 5503. Penalty.

15 § 5501. Definitions.

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

1 "Shark fin." The raw, dried or otherwise processed detached
2 fin or the raw, dried or otherwise processed detached tail of a
3 member of the superorder selachimorpha. The term does not
4 include a drug approved by the Food and Drug Administration of
5 the Department of Health and Human Services of the United
6 States.

7 § 5502. Prohibition.

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

11 (b) Exceptions.--

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

13 (i) the shark was landed under a license from
14 another state; and

15 (ii) it is being possessed in this Commonwealth for
16 taxidermy.

17 (2) Before September 1, 2013, a restaurant may possess,
18 sell, offer for sale, trade or distribute shark fin that:

19 (i) is prepared for consumption; and

20 (ii) the restaurant possesses prior to September 2,
21 2012.

22 § 5503. Penalty.

23 A person who violates section 5502 (relating to prohibition)
24 commits a ~~misdemeanor of the third degree~~ SUMMARY OFFENSE. Each <--
25 shark fin possessed, sold, offered for sale or purchased in
26 violation of section 5502 is a separate offense.

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