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(Original Signature of Member)

114TH CONGRESS
2D SESSION

H. R.

To prohibit the sale of shark fins, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SABLAN (for himself and [see ATTACHED LIST of cosponsors]) introduced the following bill; which was referred to the Committee on

A BILL

To prohibit the sale of shark fins, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Shark Fin Trade
5 Elimination Act of 2016”.

6 **SEC. 2. PROHIBITION ON TRADE IN SHARK FINS.**

7 (a) PROHIBITION.—Except as provided in section 3,
8 no person shall possess, trade, distribute, ship, transport,
9 offer for sale, sell, purchase, import, or export shark fins
10 or products containing shark fins.

1 (b) PENALTY.—For purposes of section 308(a) of the
2 Magnuson-Stevens Fishery Conservation and Manage-
3 ment Act (16 U.S.C. 1858(a)), a violation of this section
4 shall be treated as an act prohibited by section 307 of
5 that Act (16 U.S.C. 1857).

6 **SEC. 3. EXEMPTION FOR TRADITIONAL FISHERIES, EDU-**
7 **CATION, AND SCIENCE.**

8 A person may possess a shark fin that was taken law-
9 fully under a State, territorial, or Federal license or per-
10 mit to take or land sharks, if the shark fin is separated
11 from the shark in a manner consistent with the license
12 or permit and is—

13 (1) destroyed or discarded;

14 (2) retained by the license or permit holder for
15 a noncommercial purpose;

16 (3) used for noncommercial subsistence pur-
17 poses in accordance with State or territorial law; or

18 (4) used solely for display or research purposes
19 by a museum, college, or university, or other person
20 under a State or Federal permit to conduct non-
21 commercial scientific research.

22 **SEC. 4. DEFINITIONS.**

23 In this Act:

24 (1) SHARK.—The term “shark”—

1 (A) except as provided in subparagraph
2 (B), means any species of the subclass
3 Elasmobranchii; and

4 (B) does not include—

5 (i) any stock of the species *Mustelus*
6 *canis* (smooth dogfish) or *Squalus*
7 *acanthias* (spiny dogfish) that is managed
8 pursuant to a fishery management plan
9 prepared under section 303 of the Magnu-
10 son-Stevens Fishery Conservation and
11 Management Act (16 U.S.C. 1853); or

12 (ii) any species in the superorder
13 Batoidea that is managed pursuant to a
14 fishery management plan prepared under
15 section 303 of the Magnuson-Stevens Fish-
16 ery Conservation and Management Act (16
17 U.S.C. 1853).

18 (2) SHARK FIN.—The term “shark fin” means
19 the raw, dried, or otherwise processed detached fin,
20 or the raw, dried, or otherwise processed detached
21 tail, of a shark.

22 (3) IMPORT.—The term “import” has the same
23 meaning that term has under section 3 of the Mag-
24 nuson-Stevens Fishery Conservation and Manage-
25 ment Act (16 U.S.C. 1802).

1 **SEC. 5. STATE AUTHORITY.**

2 Nothing in this Act precludes, denies, or limits any
3 right of a State or territory of the United States to adopt
4 or enforce any regulation or standard that is more strin-
5 gent than a regulation or standard in effect under this
6 Act.