
SENATE BILL 5081

State of Washington

63rd Legislature

2013 Regular Session

By Senators Ranker, Litzow, Shin, Kline, Keiser, and Frockt

Read first time 01/17/13. Referred to Committee on Natural Resources & Parks .

1 AN ACT Relating to unlawful trade in shark fins; and amending RCW
2 77.15.770.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 77.15.770 and 2011 c 324 s 2 are each amended to read
5 as follows:

6 (1) Except as otherwise provided in this section, a person is
7 guilty of unlawful trade in shark fins in the second degree if:

8 (a) The person sells, offers for sale, purchases, offers to
9 purchase, or otherwise exchanges a shark fin or shark fin derivative
10 product for commercial purposes; or

11 (b) The person prepares or processes a shark fin or shark fin
12 derivative product for human or animal consumption for commercial
13 purposes.

14 (2) Except as otherwise provided in this section, a person is
15 guilty of unlawful trade in shark fins in the first degree if:

16 (a) The person commits the act described by subsection (1) of this
17 section and the violation involves shark fins or a shark fin derivative
18 product with a total market value of two hundred fifty dollars or more;

1 (b) The person commits the act described by subsection (1) of this
2 section and acted with knowledge that the shark fin or shark fin
3 derivative product originated from a shark that was harvested in an
4 area or at a time where or when the harvest was not legally allowed or
5 by a person not licensed to harvest the shark; or

6 (c) The person commits the act described by subsection (1) of this
7 section and the violation occurs within five years of entry of a prior
8 conviction under this section or a prior conviction for any other gross
9 misdemeanor or felony under this title involving fish, other than a
10 recreational fishing violation.

11 (3)(a) Unlawful trade in shark fins in the second degree is a gross
12 misdemeanor. Upon conviction, the department shall suspend any
13 commercial fishing privileges for the person that requires a license
14 under this title for a period of one year.

15 (b) Unlawful trade in shark fins in the first degree is a class C
16 felony. Upon conviction, the department shall suspend any commercial
17 fishing privileges for the person that requires a license under this
18 title for a period of one year.

19 (4) Any person who obtains a license or permit issued by the
20 department to take or possess sharks or shark parts for bona fide
21 research or educational purposes, and who sells, offers for sale,
22 purchases, offers to purchase, or otherwise trades a shark fin or shark
23 fin derivative product, exclusively for bona fide research or
24 educational purposes, may not be held liable under or subject to the
25 penalties of this section.

26 ~~((5) Nothing in this section prohibits the sale, offer for sale,~~
27 ~~purchase, offer to purchase, or other exchange of shark fins or shark~~
28 ~~fin derivative products for commercial purposes, or preparation or~~
29 ~~processing of shark fins or shark fin derivative products for purposes~~
30 ~~of human or animal consumption for commercial purposes, if the shark~~
31 ~~fins or shark fin derivative products were lawfully harvested or~~
32 ~~lawfully acquired prior to July 22, 2011.))~~

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