§ 13-0338. Sharks; department authority; finning prohibited.

1. For purposes of this section:

a. "Shark" means any species of the subclass Elasmobranchii except species in the order Batoidei;

b. "Finning" means the removal of a fin or fins from a shark and not retaining the remainder of the shark's carcass; and

c. "Shark fin" means the raw, dried or otherwise processed detached fin including the tail.

2. No person shall engage in finning on the waters of the marine and coastal district.

3. a. No person shall possess, sell, offer for sale, trade or distribute a shark fin; provided, however, that this prohibition shall not apply to any shark fin that was taken from a spiny dogfish (Squalus acanthias) or a smooth dogfish (Mustelus canis) lawfully caught by a licensed commercial fisherman.

b. A shark fin may be possessed by any person if the shark was lawfully caught and the person has a recreational marine fishing registration or a license or permit from the department for bona fide scientific research or educational purposes.

4. The department may, until December thirty-first, two thousand twenty-nine, fix by regulation measures for the management of sharks, including size limits, catch and possession limits, open and closed seasons, closed areas, restrictions on the manner of taking and landing, requirements for permits and eligibility therefor, recordkeeping requirements, requirements on the amount and type of fishing effort and gear, and requirements relating to transportation, possession and sale, provided that such regulations are no less restrictive than requirements set forth in this chapter and provided further that such regulations are consistent with the compliance requirements of applicable fishery

management plans adopted by the Atlantic States Marine Fisheries Commission and with applicable provisions of fishery management plans adopted pursuant to the Federal Fishery Conservation and Management Act (16 U.S.C. §1800 et seq.).

* 5. Sharks, excluding spiny dogfish, shall not be taken for commercial or recreational purposes by baited hooking except with the use of non-stainless steel non-offset circle hooks. In addition, no person shall conduct, sponsor or participate in any shark tournament unless said tournament's rules and regulations require the exclusive use of non-stainless steel non-offset circle hooks.

* NB Repealed December 31, 2028