**South Carolina General Assembly**

121st Session, 2015-2016

**H. 4839**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Goldfinch

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Companion/Similar bill(s): 1029

Introduced in the House on February 4, 2016

Currently residing in the House Committee on **Agriculture, Natural Resources and Environmental Affairs**

Summary: Hammerhead sharks

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/4/2016 House Introduced and read first time ([House Journal‑page 7](file:///h:\HJ%20Archive\2016\02-04-16.docx))

2/4/2016 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 7](file:///h:\HJ%20Archive\2016\02-04-16.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4839&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/4/2016](file:///p:\pprever\2015-16\4839_20160204.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑13‑1640 SO AS TO PROVIDE CERTAIN TERMS AND THEIR DEFINITIONS RELATED TO CARTILAGINOUS FISH, THEIR PARTS, AND PERSONS WHO SALVAGE THEM FOR BAIT OR HUMAN CONSUMPTION, AND TO PROVIDE PENALTIES FOR PERSONS WHO UNLAWFULLY SALVAGE FOR BAIT OR HUMAN CONSUMPTION CERTAIN CARTILAGINOUS FISH; AND BY ADDING SECTION 50‑5‑1720 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO TAKE OR POSSESS CERTAIN HAMMERHEAD SHARKS, TO PROVIDE THAT ONCE CAUGHT THESE SHARKS MUST BE RELEASED AND REMAIN IN WATER AT ALL TIMES WHILE BEING RELEASED, TO PROVIDE THAT NO ONE IS PERMITTED TO TAKE PHOTOGRAPHS WITH THESE SHARKS, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 11, Chapter 13, Title 50 of the 1976 Code is amended by adding:

“Section 50‑13‑1640. (A) For the purpose of this section:

(1) ‘Person’ means an individual, commercial fisherman, firm, corporation, association, partnership, club, private body, or other entity.

(2) ‘Cartilaginous fish’ means all members of the subclass Elasmobranchii, including, sharks, skates, stingrays, and their products, eggs, or by‑products not intended for human consumption.

(3) ‘Skeletal Muscular tissue’ means all muscle not including cardiac muscle found on the heart, or smooth muscle found on the organs.

(4) ‘Pre‑caudal region’ means the area directly before the tail or caudal fin of a cartilaginous fish.

(B) No person shall intentionally, knowingly, recklessly, or with criminal negligence fail to salvage for bait or human consumption all skeletal muscular tissue of a cartilaginous fish, originating from the posterior side of the last gill slit to the pre‑caudal region, which would be reasonably expected to be harvested from a filet.

(C) Any person violating this section is guilty of a misdemeanor and, upon conviction, must be:

(1) for a first offense, fined not more than five hundred dollars or imprisoned for not more than thirty days, or both;

(2) for a second offense within five years of the first offense, fined not less than three hundred dollars nor more than five hundred dollars or imprisoned for not more than thirty days, or both;

(3) for any offense within five years of a second offense, fined not more than one thousand dollars or imprisoned for not less than thirty days, or both.”

SECTION 2. Article 17, Chapter 5, Title 50 of the 1976 Code is amended by adding:

“Section 50‑5‑1720. (A) It is unlawful to take or possess a great hammerhead shark (Sphyrna mokarran),a smooth hammerhead shark (Sphyrna zygaena),a scalloped hammerhead shark (Sphyrna lewini),or a Carolina hammerhead shark (Sphyrna gilberti). Any of the aforementioned species caught must be released immediately and must remain completely in the water at all times while being released. No person shall be permitted to take any photographs with the animal outside of the water.

(B) A person violating this section is guilty of a misdemeanor and, upon conviction, must be:

(1) for a first offense, fined not more than five hundred dollars or imprisoned for not more than thirty days, or both;

(2) for a second offense within five years of the first offense, fined not less than three hundred dollars nor more than five hundred dollars or imprisoned for not more than thirty days, or both;

(3) for any offense within five years of a second offense, fined not more than one thousand dollars or imprisoned for not less than thirty days, or both.”

SECTION 3. This act takes effect upon approval by the Governor.

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