**A** **BILL**

TO AMEND ARTICLE 11, CHAPTER 13, TITLE 50 OF THE 1976 CODE, RELATING TO THE SALE AND TRAFFICKING IN FISH, BY ADDING SECTION 50‑13‑1640, 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.

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:

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

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

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

SECTION 2. This act takes effect upon approval by the Governor.

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