



House of Representatives

General Assembly

File No. 228

February Session, 2022

Substitute House Bill No. 5140

House of Representatives, March 31, 2022

The Committee on Environment reported through REP. GRESKO of the 121st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE HAND-HARVESTING OF HORSESHOE CRABS IN THE STATE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2022*) (a) Notwithstanding the
2 provisions of title 26 of the general statutes, no person shall engage in
3 the hand-harvesting of horseshoe crabs or the eggs of horseshoe crabs
4 from the waters of this state.

5 (b) Notwithstanding the provisions of subsection (a) of this section,
6 the Commissioner of Energy and Environmental Protection may
7 authorize the hand-harvesting of horseshoe crabs by permit for: (1)
8 Educational or scientific purposes provided the commissioner
9 determines that such harvesting will not cause harm to the horseshoe
10 crab population in this state, or (2) the collection of blood from
11 horseshoe crabs for biomedical purposes provided any such horseshoe
12 crab is returned, unharmed, to the waters from which it was collected.

13 (c) Any person who violates the provisions of this section shall be

14 fined twenty-five dollars for each specimen taken in violation of this
15 section.

16 (d) The Commissioner of Energy and Environmental Protection shall
17 enforce the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2022	New section

ENV *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 23 \$	FY 24 \$
Department of Energy and Environmental Protection	GF - Revenue Loss	240	240

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill prohibits the hand-harvesting of horseshoe crabs, while allowing for certain education and medical-related exemptions. This is expected to result in an annual revenue loss of \$240 since the 16 current license holders would not likely renew their hand-harvest endorsements issued by the Department of Energy and Environmental Protection (DEEP).

Also, the bill subjects someone to a \$25 fine for each horseshoe crab in violation of the bill. As there have been no violations and no revenue associated with this penalty under current law, this provision is not anticipated to have a fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the amount of the fee associated with the hand-harvest endorsements.

OLR Bill Analysis**sHB 5140*****AN ACT CONCERNING THE HAND-HARVESTING OF HORSESHOE CRABS IN THE STATE.*****SUMMARY**

This bill generally prohibits the hand-harvesting of horseshoe crabs or their eggs from state waters. This applies regardless of any related existing laws (see BACKGROUND).

Despite the general prohibition, the bill authorizes the Department of Energy and Environmental Protection (DEEP) commissioner to allow the hand-harvesting of horseshoe crabs, by permit, for (1) educational or scientific purposes if she determines it will not harm the state's horseshoe crab population or (2) collecting horseshoe crab blood for biomedical purposes if the crab is returned, unharmed, to the water where it was collected.

The bill (1) subjects a person to a \$25 fine for each specimen taken in violation of the bill and (2) requires the DEEP commissioner to enforce its provisions.

EFFECTIVE DATE: October 1, 2022

BACKGROUND***Related Laws***

Under existing law, the term "general commercial fishing" includes the hand-harvesting of horseshoe crabs (CGS § 26-142a(a)(9)). Also, existing law makes hand-harvesting horseshoe crabs in areas of Stratford an infraction (CGS § 26-292b).

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 31 Nay 0 (03/21/2022)