

THE FLORIDA SENATE
2015 SUMMARY OF LEGISLATION PASSED
Committee on Regulated Industries

CS/HB 239 — Medication and Testing of Racing Animals

by Business and Professions Subcommittee; and Reps. Fitzenhagen and Stone (CS/SB 226 by Regulated Industries Committee; and Senators Latvala and Sobel)

The bill modifies requirements regarding prohibited medication or drugging of racing animals (horses and greyhounds). Violations are no longer contingent upon a person administering or causing a prohibited substance to be administered; the mere presence of a prohibited substance in a racing animal is evidence of the violation. The fine for violations may be up to \$10,000 or the race winnings (purse or sweepstakes amount), whichever is greater. Prosecutions must be started within 90 days of the race date.

Samples are collected from racing animals at racetracks by the Division of Pari-mutuel Wagering (division) of the Department of Business and Professional Regulation. The division must notify the owner or trainer, the stewards, and the horsemen's association at a racetrack of all drug test results. One portion of a sample is analyzed by the division's laboratory to determine whether any substance prohibited in racing animals is present. If the analyzed sample contains prohibited substances, the owner or trainer has the right to request an analysis on the remaining portion by an independent laboratory. For samples from racing greyhounds, if the second analysis does not confirm the first, or is of insufficient quantity to do so, prosecution may still be pursued against the owner or trainer despite the lack of confirmation which maintains current law. For samples from racehorses, if the second analysis does not confirm the first, or is of insufficient quantity to do so, no prosecution may be pursued against the owner or trainer, and any suspended licensee must be reinstated.

The bill requires the division to adopt rules regarding the use and allowed levels of medications, drugs, and naturally occurring substances in racing animals, as listed by the Association of Racing Commissioners International (ARCI). The bill requires the division to adopt rules that include a classification system for drugs and incorporates ARCI's Penalty Guidelines for drug violations and must determine monitoring and testing methodology that may be used to screen samples for prohibited substances. Medication levels for racing greyhounds are recommended by the University of Florida College of Veterinary Medicine. The division's rules also must include the conditions for the use of furosemide, a diuretic (Lasix or Salix). Furosemide is the only medication that may be administered within 24 hours before a race, but it may not be administered within 4 hours before the officially scheduled post time of a race. The division may solicit input from the Department of Agriculture and Consumer Services (DACS) on the rules, which must be adopted before January 1, 2016.

An outside quality assurance program must annually assess the ability of all laboratories approved by the division to analyze samples for the presence of medications, drugs, and prohibited substances. The findings must be reported to the division and DACS.

If approved by the Governor, these provisions take effect July 1, 2015.

Vote: Senate 40-0; House 112-0

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