

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 Representative(s) Bronson offered the following:

13 **Amendment (with title amendment)**

14 On page 4, line 27, through page 7, line 5,
15 remove from the bill: all of said lines

17 and insert in lieu thereof:

18 Section 4. Section 535.08, Florida Statutes, is
19 created to read:

20 535.08 Thoroughbred sales; administration of
21 medications prior to sale; testing.--

22 (1) No person shall administer to any thoroughbred
23 horse offered for licensed public sale at a thoroughbred horse
24 sale any substance that is recognized as an injectable, oral,
25 or topical medication within 72 hours of the start of the sale
26 session in which the thoroughbred horse is offered for sale
27 unless the person is a licensed veterinarian and the
28 medication is therapeutic or necessary for the treatment or
29 prevention of an illness or injury.

30 (2) The administration of any such medication must be
31 reported to the sales organization on a form provided for this

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1 purpose by the sales organization, signed by the attending
2 veterinarian, which shall set forth the following information:

3 (a) Identification of the medication, amount, and
4 strength.

5 (b) The date and time of administration.

6 (c) Identification of the horse's name, age, sex, and
7 entry number.

8 (d) The reason for administration.

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10 The form must be filed with the sales organization no later
11 than 12 hours after administration or 1 hour before the start
12 of the sales session in which the thoroughbred horse is
13 offered for sale, whichever would require the earlier filing.
14 The sales organization shall make all such forms available to
15 the public, and the availability of this information shall be
16 publicized in any applicable sales catalogue.

17 (3)(a) The state veterinarian, or any veterinarian
18 designated by the department, may collect a blood sample from
19 any thoroughbred horse offered or sold at a licensed
20 thoroughbred horse sale for the purpose of determining if the
21 horse has been administered a substance in violation of
22 subsection (1). Such a test shall be performed at the request
23 of the purchaser of any thoroughbred horse sold, if the
24 purchaser makes such a request before taking physical
25 possession of the animal and within 24 hours of the time of
26 sale. The purchaser shall be solely responsible for the cost
27 of the test, and payment shall be made to the sales
28 organization. The sales organization shall then remit the cost
29 of these tests to the department.

30 (b) Any such blood sample shall be delivered for
31 initial testing to an official laboratory approved by the

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1 department. One-half of any such blood sample shall be used
2 for initial testing and the remaining one-half shall be stored
3 for possible follow-up testing for a period of not less than 2
4 weeks after receipt of the initial test results.

5 (c) The seller may request followup testing in
6 response to any positive test result within 48 hours after
7 receiving actual notice of such a result. The seller shall be
8 solely responsible for the cost of any followup testing. Upon
9 request of the seller, the original laboratory and an
10 additional laboratory selected by the seller and approved by
11 the state veterinarian shall test the stored sample.

12 (d) If initial testing reveals that a horse has been
13 administered a substance in violation of subsection (1) and
14 followup testing by both laboratories confirms this conclusion
15 or the seller does not request such testing within the 48-hour
16 period provided, the consignor must accept return of the horse
17 as unsold.

18 (e) The department shall by rule, establish those
19 medications and depressants for which a tolerance may be set
20 that, if found in the blood sample, may be construed to be
21 forbidden substances; shall establish procedures for the
22 collection, handling, and storage of blood samples; and shall
23 specify the type of test to be used. Until such time that a
24 tolerance or test is established, a zero tolerance will be
25 enforced.

26 (4)(a) Any person who violates subsection (1) commits
27 a misdemeanor of the second degree, punishable as provided in
28 ss. 775.082 and 775.083. For a second or subsequent offense,
29 such person commits a misdemeanor of the first degree,
30 punishable as provided in ss. 775.082 and 775.083.

31 (b) In addition to the penalties provided in paragraph

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1 (a), any person convicted of a violation of subsection (1)
 2 shall be barred from showing, exhibiting, or offering for sale
 3 at a licensed public sale any horse in this state for a period
 4 of 2 years from the date of the conviction.

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7 ===== T I T L E A M E N D M E N T =====

8 And the title is amended as follows:

9 On page 1, line 19 after "testing;"

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11 insert:

12 providing for a tolerance or test for
 13 medications and depressants;

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