

1                                   A bill to be entitled  
 2           An act relating to racing animal medication research;  
 3           amending s. 550.2415, F.S.; deleting provisions for  
 4           certain moneys to be used for research relating to the  
 5           medication of racing animals; deleting provisions relating  
 6           to the Pharmacokinetic and Clearance Study Agreement by  
 7           and between the Department of Business and Professional  
 8           Regulation Division of Pari-mutuel Wagering and the  
 9           University of Florida College of Veterinary Medicine;  
 10          revising provisions for implementation by the division of  
 11          medication levels; providing an effective date.

12  
 13 Be It Enacted by the Legislature of the State of Florida:

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 15           Section 1. Subsections (7) through (17) of section  
 16           550.2415, Florida Statutes, are amended to read:

17           550.2415 Racing of animals under certain conditions  
 18           prohibited; penalties; exceptions.--

19           ~~(7) All moneys recovered for violations of this section~~  
 20           ~~shall be kept in a separate fund to be deposited into the Pari-~~  
 21           ~~mutuel Wagering Trust Fund and shall be used for research~~  
 22           ~~relating to the medication of racing animals. Such recovered~~  
 23           ~~moneys shall be supervised and used by the division to contract~~  
 24           ~~with a reputable college or school of veterinary medicine or its~~  
 25           ~~designee in accordance with this subsection.~~

26           (7)~~(8)~~ Under no circumstances may any medication be  
 27           administered closer than 24 hours prior to the officially

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28 | scheduled post time of a race except as provided for in this  
29 | section.

30 |       (a) The division shall adopt rules setting conditions for  
31 | the use of furosemide to treat exercise-induced pulmonary  
32 | hemorrhage.

33 |       (b) The division shall adopt rules setting conditions for  
34 | the use of prednisolone sodium succinate, but under no  
35 | circumstances may furosemide or prednisolone sodium succinate be  
36 | administered closer than 4 hours prior to the officially  
37 | scheduled post time for the race.

38 |       (c) The division shall adopt rules setting conditions for  
39 | the use of phenylbutazone and synthetic corticosteroids; in no  
40 | case, except as provided in paragraph (b), shall these  
41 | substances be given closer than 24 hours prior to the officially  
42 | scheduled post time of a race. Oral corticosteroids are  
43 | prohibited except when prescribed by a licensed veterinarian and  
44 | reported to the division on forms prescribed by the division.

45 |       (d) Nothing in this section shall be interpreted to  
46 | prohibit the use of vitamins, minerals, or naturally occurring  
47 | substances so long as none exceeds the normal physiological  
48 | concentration in a race-day ~~race-day~~ specimen.

49 |       (e) The division may, by rule, establish acceptable levels  
50 | of permitted medications and shall select the appropriate  
51 | biological specimens by which the administration of permitted  
52 | medication is monitored.

53 |       ~~(8)-(9)~~ (a) Under no circumstances may any medication be  
54 | administered within 24 hours before the officially scheduled  
55 | post time of the race except as provided in this section.

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56 (b) As an exception to this section, if the division first  
57 determines that the use of furosemide, phenylbutazone, or  
58 prednisolone sodium succinate in horses is in the best interest  
59 of racing, the division may adopt rules allowing such use. Any  
60 rules allowing the use of furosemide, phenylbutazone, or  
61 prednisolone sodium succinate in racing must set the conditions  
62 for such use. Under no circumstances may a rule be adopted which  
63 allows the administration of furosemide or prednisolone sodium  
64 succinate within 4 hours before the officially scheduled post  
65 time for the race. Under no circumstances may a rule be adopted  
66 which allows the administration of phenylbutazone or any other  
67 synthetic corticosteroid within 24 hours before the officially  
68 scheduled post time for the race. Any administration of  
69 synthetic corticosteroids is limited to parenteral routes. Oral  
70 administration of synthetic corticosteroids is expressly  
71 prohibited. If this paragraph is unconstitutional, it is  
72 severable from the remainder of this section.

73 (c) The division shall, by rule, establish acceptable  
74 levels of permitted medications and shall select the appropriate  
75 biological specimen by which the administration of permitted  
76 medications is monitored.

77 (9) ~~(10)~~ (a) The division may conduct a postmortem  
78 examination of any animal that is injured at a permitted  
79 racetrack while in training or in competition and that  
80 subsequently expires or is destroyed. The division may conduct a  
81 postmortem examination of any animal that expires while housed  
82 at a permitted racetrack, association compound, or licensed

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83 kennel or farm. Trainers and owners shall be requested to comply  
84 with this paragraph as a condition of licensure.

85 (b) The division may take possession of the animal upon  
86 death for postmortem examination. The division may submit blood,  
87 urine, other bodily fluid specimens, or other tissue specimens  
88 collected during a postmortem examination for testing by the  
89 division laboratory or its designee. Upon completion of the  
90 postmortem examination, the carcass must be returned to the  
91 owner or disposed of at the owner's option.

92 (10)~~(11)~~ The presence of a prohibited substance in an  
93 animal, found by the division laboratory in a bodily fluid  
94 specimen collected during the postmortem examination of the  
95 animal, which breaks down during a race constitutes a violation  
96 of this section.

97 (11)~~(12)~~ The cost of postmortem examinations, testing, and  
98 disposal must be borne by the division.

99 (12)~~(13)~~ The division shall adopt rules to implement this  
100 section. The rules may include a classification system for  
101 prohibited substances and a corresponding penalty schedule for  
102 violations.

103 (13)~~(14)~~ Except as specifically modified by statute or by  
104 rules of the division, the Uniform Classification Guidelines for  
105 Foreign Substances, revised February 14, 1995, as promulgated by  
106 the Association of Racing Commissioners International, Inc., is  
107 hereby adopted by reference as the uniform classification system  
108 for class IV and V medications.

109 (14)~~(15)~~ The division shall utilize only the thin layer  
110 chromatography (TLC) screening process to test for the presence

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111 of class IV and V medications in samples taken from racehorses  
 112 except when thresholds of a class IV or class V medication have  
 113 been established and are enforced by rule. Once a sample has  
 114 been identified as suspicious for a class IV or class V  
 115 medication by the TLC screening process, the sample will be sent  
 116 for confirmation by and through additional testing methods. All  
 117 other medications not classified by rule as a class IV or class  
 118 V agent shall be subject to all forms of testing available to  
 119 the division.

120 (15)~~(16)~~ The division may ~~shall~~ implement by rule  
 121 medication levels recommended ~~finalized~~ by the University of  
 122 Florida College of Veterinary Medicine. ~~developed pursuant to~~  
 123 ~~the Pharmacokinetic and Clearance Study Agreement by and between~~  
 124 ~~the Florida Department of Business and Professional Regulation~~  
 125 ~~Division of Pari-mutuel Wagering and the University of Florida~~  
 126 ~~College of Veterinary Medicine. Research on a drug level is~~  
 127 ~~finalized when~~ The University of Florida College of Veterinary  
 128 Medicine may provide ~~provides~~ written notification to the  
 129 division that it has completed ~~its~~ research or review on a  
 130 particular drug ~~pursuant to the agreement and~~ when the College  
 131 of Veterinary Medicine has completed ~~provides~~ a final report of  
 132 its findings, conclusions, and recommendations to the division.

133 (16)~~(17)~~ The testing medium for phenylbutazone in horses  
 134 shall be serum, and the division may collect up to six full 15-  
 135 milliliter blood tubes for each horse being sampled.

136 Section 2. This act shall take effect July 1, 2009.