



197666

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/08/2014	.	
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The Committee on Community Affairs (Latvala) recommended the following:

Senate Amendment (with title amendment)

Between lines 944 and 945
insert:

Section 23. Paragraph (b) of subsection (1), paragraph (a) of subsection (3), paragraph (e) of subsection (6), and subsections (7) through (16) of section 550.2415, Florida Statutes, are amended to read:

550.2415 Racing of animals under certain conditions prohibited; penalties; exceptions.—



197666

11 (1)

12 (b) It is a violation of this section for a race-day
13 specimen to contain a level of a naturally occurring substance
14 which exceeds normal physiological concentrations. The division
15 may solicit input from the Department of Agriculture and
16 Consumer Services adopt rules that specify normal physiological
17 concentrations of naturally occurring substances in the natural
18 untreated animal and rules that specify acceptable levels of
19 environmental contaminants and trace levels of substances in
20 test samples.

21 (3) (a) Upon the finding of a violation of this section, the
22 division may revoke or suspend the license or permit of the
23 violator or deny a license or permit to the violator; impose a
24 fine against the violator in an amount not exceeding the earned
25 value of the purse or sweepstakes of the race at issue \$5,000;
26 require the full or partial return of the purse, sweepstakes,
27 and trophy of the race at issue; or impose against the violator
28 any combination of such penalties. The finding of a violation of
29 this section in no way prohibits a prosecution for criminal acts
30 committed.

31 (6)

32 (e) The division may inspect or coordinate inspections with
33 the Department of Agriculture and Consumer Services of any area
34 at a pari-mutuel facility where racing animals are raced,
35 trained, housed, or maintained, including any areas where food,
36 medications, or other supplies are kept, to ensure the humane
37 treatment of racing animals and compliance with this chapter and
38 the rules of the division.

39 (7) ~~Under no circumstances may any Medication~~ may not be



197666

40 administered closer than 24 hours before ~~prior to~~ the officially
41 scheduled post time of a race except as provided for in this
42 section.

43 (a) Furosemide is the only medication that may be
44 administered within 24 hours before the officially scheduled
45 post time. However, furosemide may not be administered within 4
46 hours before the officially scheduled race time. The division
47 shall adopt rules setting conditions for the use of furosemide
48 to treat exercise-induced pulmonary hemorrhage.

49 ~~(b) The division shall adopt rules setting conditions for~~
50 ~~the use of prednisolone sodium succinate, but under no~~
51 ~~circumstances may furosemide or prednisolone sodium succinate be~~
52 ~~administered closer than 4 hours prior to the officially~~
53 ~~scheduled post time for the race.~~

54 ~~(c)~~ Before January 1, 2015, the division shall adopt rules
55 that establish the definitions of prohibited substances and the
56 setting conditions for the use of controlled therapeutic
57 medications. Controlled therapeutic medications may include only
58 the specific medications and concentrations allowed in
59 biological samples that have been approved by the Association of
60 Racing Commissioners International, Inc., as controlled
61 therapeutic medications ~~phenylbutazone and synthetic~~
62 ~~corticosteroids; in no case, except as provided in paragraph~~
63 ~~(b), shall these substances be given closer than 24 hours prior~~
64 ~~to the officially scheduled post time of a race. Oral~~
65 ~~corticosteroids are prohibited except when prescribed by a~~
66 ~~licensed veterinarian and reported to the division on forms~~
67 ~~prescribed by the division.~~

68 ~~(c)(d)~~ Nothing in This section does not shall be



197666

69 ~~interpreted to prohibit the use of vitamins, minerals, or~~
70 ~~naturally occurring substances if they do not exceed so long as~~
71 ~~none exceeds the normal physiological concentration in a race-~~
72 ~~day specimen.~~

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

77 ~~(8)(a) Under no circumstances may any medication be~~
78 ~~administered within 24 hours before the officially scheduled~~
79 ~~post time of the race except as provided in this section.~~

80 ~~(b) As an exception to this section, if the division first~~
81 ~~determines that the use of furosemide, phenylbutazone, or~~
82 ~~prednisolone sodium succinate in horses is in the best interest~~
83 ~~of racing, the division may adopt rules allowing such use. Any~~
84 ~~rules allowing the use of furosemide, phenylbutazone, or~~
85 ~~prednisolone sodium succinate in racing must set the conditions~~
86 ~~for such use. Under no circumstances may a rule be adopted which~~
87 ~~allows the administration of furosemide or prednisolone sodium~~
88 ~~succinate within 4 hours before the officially scheduled post~~
89 ~~time for the race. Under no circumstances may a rule be adopted~~
90 ~~which allows the administration of phenylbutazone or any other~~
91 ~~synthetic corticosteroid within 24 hours before the officially~~
92 ~~scheduled post time for the race. Any administration of~~
93 ~~synthetic corticosteroids is limited to parenteral routes. Oral~~
94 ~~administration of synthetic corticosteroids is expressly~~
95 ~~prohibited. If this paragraph is unconstitutional, it is~~
96 ~~severable from the remainder of this section.~~

97 ~~(c) The division shall, by rule, establish acceptable~~



197666

98 ~~levels of permitted medications and shall select the appropriate~~
99 ~~biological specimen by which the administration of permitted~~
100 ~~medications is monitored.~~

101 (8)~~(9)~~(a) The division may conduct a postmortem examination
102 of any animal that is injured at a permitted racetrack while in
103 training or in competition and that subsequently expires or is
104 destroyed. The division may conduct a postmortem examination of
105 any animal that expires while housed at a permitted racetrack,
106 association compound, or licensed kennel or farm. Trainers and
107 owners must ~~shall be requested to~~ comply with this paragraph as
108 a condition of licensure.

109 (b) The division may take possession of the animal upon
110 death for postmortem examination. The division may submit blood,
111 urine, other bodily fluid specimens, or other tissue specimens
112 collected during a postmortem examination for testing by the
113 division laboratory or its designee. Upon completion of the
114 postmortem examination, the carcass must be returned to the
115 owner or disposed of at the owner's option.

116 (9)~~(10)~~ The presence of a prohibited substance in an
117 animal, found by the division laboratory in a bodily fluid
118 specimen collected after the race or during the postmortem
119 examination of the animal, ~~which breaks down during a race~~
120 constitutes a violation of this section.

121 (10)~~(11)~~ The cost of postmortem examinations, testing, and
122 disposal must be borne by the division.

123 (11)~~(12)~~ The division shall adopt rules, laboratory
124 standards, and penalties to implement this section. ~~The rules~~
125 ~~may include a classification system for prohibited substances~~
126 ~~and a corresponding penalty schedule for violations.~~



197666

127 ~~(12)(13) Except as specifically modified by statute or by~~
128 ~~rules of the division,~~ The most recent Uniform Classification
129 Guidelines for Foreign Substances, ~~revised February 14, 1995,~~ as
130 promulgated by the Association of Racing Commissioners
131 International, Inc., is hereby adopted by reference as the
132 uniform classification system ~~for class IV and V medications.~~

133 ~~(14) The division shall utilize only the thin layer~~
134 ~~chromatography (TLC) screening process to test for the presence~~
135 ~~of class IV and V medications in samples taken from racehorses~~
136 ~~except when thresholds of a class IV or class V medication have~~
137 ~~been established and are enforced by rule. Once a sample has~~
138 ~~been identified as suspicious for a class IV or class V~~
139 ~~medication by the TLC screening process, the sample will be sent~~
140 ~~for confirmation by and through additional testing methods. All~~
141 ~~other medications not classified by rule as a class IV or class~~
142 ~~V agent shall be subject to all forms of testing available to~~
143 ~~the division.~~

144 ~~(15) The division may implement by rule medication levels~~
145 ~~recommended by the University of Florida College of Veterinary~~
146 ~~Medicine developed pursuant to an agreement between the Division~~
147 ~~of Pari-mutuel Wagering and the University of Florida College of~~
148 ~~Veterinary Medicine. The University of Florida College of~~
149 ~~Veterinary Medicine may provide written notification to the~~
150 ~~division that it has completed research or review on a~~
151 ~~particular drug pursuant to the agreement and when the College~~
152 ~~of Veterinary Medicine has completed a final report of its~~
153 ~~findings, conclusions, and recommendations to the division.~~

154 ~~(13)(16)~~ The testing medium for phenylbutazone in horses
155 shall be serum, and the division may collect up to six full 15-



197666

156 milliliter blood tubes for each horse being sampled.

157

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

159 And the title is amended as follows:

160 Delete line 70

161 and insert:

162 Council; conforming a cross-reference; amending s.
163 550.2415, F.S.; authorizing the Division of Pari-
164 mutuel Wagering to solicit input from and coordinate
165 inspections with the Department of Agriculture and
166 Consumer Services; revising the penalties for
167 violating laws relating to the racing of animals;
168 revising the rulemaking authority of the division;
169 creating part I