



660444

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/20/2015	.	
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The Committee on Regulated Industries (Latvala) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 89 - 135  
and insert:  
of this section must be commenced within 90 days ~~2 years~~ after  
the violation was committed. Service of an administrative  
complaint marks the commencement of administrative action.

(5) The division shall implement a split-sample procedure  
for testing animals under this section.

(a) ~~Upon finding a positive drug test result,~~ The division



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11 ~~department shall notify the owner or trainer, the stewards, and~~  
12 ~~the appropriate horsemen's association of all drug test the~~  
13 ~~results. The owner may request that each urine and blood sample~~  
14 ~~be split into a primary sample and a secondary (split) sample.~~  
15 ~~Such splitting must be accomplished in the laboratory under~~  
16 ~~rules approved by the division. Custody of both samples must~~  
17 ~~remain with the division. If a drug test result is positive~~  
18 ~~However, and upon request by the affected trainer or owner of~~  
19 ~~the animal from which the sample was obtained, the division~~  
20 ~~shall send the split sample to an approved independent~~  
21 ~~laboratory for analysis. The division shall establish standards~~  
22 ~~and rules for uniform enforcement and shall maintain a list of~~  
23 ~~at least five approved independent laboratories for an owner or~~  
24 ~~trainer to select from if a drug test result is in the event of~~  
25 ~~a positive test sample.~~

26 (b) If the division ~~state~~ laboratory's findings are not  
27 confirmed by the independent laboratory, no further  
28 administrative or disciplinary action under this section may be  
29 pursued. ~~The division may adopt rules identifying substances~~  
30 ~~that diminish in a blood or urine sample due to passage of time~~  
31 ~~and that must be taken into account in applying this section.~~

32 (c) If the independent laboratory confirms the division  
33 ~~state~~ laboratory's positive result, ~~or if there is an~~  
34 ~~insufficient quantity of the secondary (split) sample for~~  
35 ~~confirmation of the state laboratory's positive result,~~ the  
36 division may commence administrative proceedings as prescribed  
37 in this chapter and consistent with chapter 120. For purposes of  
38 this subsection, the department shall in good faith attempt to  
39 obtain a sufficient quantity of the test fluid to allow both a



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40 primary test and a secondary test to be made.

41 (d) For the testing of racing greyhounds, if there is an  
42 insufficient quantity of the secondary (split) sample for  
43 confirmation of the division laboratory's positive result, the  
44 division may commence administrative proceedings as prescribed  
45 in this chapter and consistent with chapter 120.

46 (e) For the testing of racehorses, if there is an  
47 insufficient quantity of the secondary (split) sample for  
48 confirmation of the division laboratory's positive result, the  
49 division may not take further action on the matter against the  
50 owner or trainer, and any resulting license suspension must be  
51 immediately lifted.

52 (f) The division shall require its laboratory and the

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

55 And the title is amended as follows:

56 Delete lines 12 - 13

57 and insert:

58 must commence; requiring the division to notify the