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1 A bill to be entitled
 2 An act relating to research funded by pari-mutuel
 3 wagering; amending s. 550.2415, F.S.; deleting provisions
 4 for 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 providing an effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

13 Section 1. Subsection (7), subsection (8), subsection (9),
 14 subsection (10), subsection (11), subsection (12), subsection
 15 (13), subsection (14), subsection (15), subsection (16), and
 16 subsection (17) of section 550.2415, Florida Statutes, are
 17 amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

133 (15)~~(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, 2008.