

Senate Study Bill 2192

Conference Committee Text

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1 1 Section 1. Section [99D.25](#), subsection 9, Code 1995, is
1 2 amended to read as follows:
1 3 9. a. The commission shall conduct random tests of bodily
1 4 substances of horses entered to race each day of a race
1 5 meeting to aid in the detection of any unlawful drugging. The
1 6 tests shall be conducted both prior to and after a race. The
1 7 commission veterinarian shall regularly test a horse which has
1 8 finished first, second, or in a special position. The
1 9 commission veterinarian shall extract a test sample of the
1 10 horse's blood, urine, or saliva to determine whether the horse
1 11 was unlawfully drugged, including whether the horse had been
1 12 administered phenylbutazone or lasix in a level which exceeds
1 13 that allowed under section 99D.25A.
1 14 b. The commission shall

~~also~~

- test any horse that breaks
1 15 down during a race and shall perform an autopsy on any horse
1 16 that is killed or subsequently destroyed as a result of
1 17 accident during a race.

1 18 Sec. 2. Section [99D.25](#), Code 1995, is amended by adding
1 19 the following new subsection:

1 20 NEW SUBSECTION. 11. The commission shall adopt rules
1 21 relating to the possession and administration of medication
1 22 used to treat horses within a racetrack enclosure, based upon
1 23 a standard which provides for the possession and use of
1 24 medication which has a beneficial or therapeutic use, unless
1 25 the medication may be used in a manner that defeats the
1 26 provisions of this chapter.

1 27 Sec. 3. Section [99D.25A](#), subsection 2, Code 1995, is
1 28 amended to read as follows:

1 29 2. Phenylbutazone shall not be administered to a horse in
1 30 dosages which would result in concentrations of more than

~~two~~

1 31

~~point two~~

- five micrograms of the substance or its metabolites
1 32 per

~~millimeter~~

- milliliter of blood.

1 33 Sec. 4. Section 99D.25A, subsections 4, 6, and 7, Code
1 34 1995, are amended to read as follows:

1 35 4.

~~If~~

- The commission shall provide for the imposition and
2 1 assessment of civil penalties against trainers of a horse, if
2 2 a test administered by a commission veterinarian detects
2 3

~~concentrations~~

- a concentration of phenylbutazone in the system

2 4 of a horse

~~in excess of~~
~~which exceeds~~ the level permitted in
2 5 this section

~~, the commission shall assess a civil penalty~~

2 6

~~against the trainer of two hundred dollars for the first~~

2 7

~~offense and five hundred dollars for a second offense. The~~

2 8

~~penalty for a third or subsequent offense shall be in the~~

2 9

~~discretion of the commission~~

~~-. The amount of the penalty shall~~

2 10 be based on the amount of phenylbutazone detected by the test

2 11 and the number of violations committed by the trainer. A

2 12 penalty assessed under this subsection shall not affect the

2 13 placing of the horse in the race.

2 14 6. Once a horse has been permitted the use of lasix,

~~it~~

2 15 the horse must be treated with lasix in the horse's stall.

2 16 unless the commission provides that a horse must be brought to

2 17 the detention barn for treatment

~~not less than four hours~~

2 18

~~prior to scheduled post time for the race in which it is~~

2 19

~~entered to start~~

~~-. After the lasix treatment, the commission,~~

2 20 by rule, may authorize the release of the horse from the

2 21 horse's stall or detention barn before the scheduled post

2 22 time. If a horse is brought to the detention barn late, the

2 23 commission shall assess a civil penalty of one hundred dollars

2 24 against the trainer.

2 25 7. A horse entered to race with lasix must be treated at

2 26 least four hours prior to post time. The lasix shall be

2 27 administered intravenously by a veterinarian employed by the

2 28 owner or trainer of the horse

~~under the visual supervision of~~

2 29

~~the commission veterinarian~~

~~-. The commission shall adopt rules~~

2 30 to ensure that lasix is administered as provided in this

2 31 section. The commission shall require that the practicing

2 32 veterinarian

~~must deposit with the commission veterinarian at~~

2 33

~~the detention barn an unopened supply of lasix and sterile~~

2 34

~~hypodermic needles and syringes to be used for the~~

2 35

~~administrations~~

~~deliver an affidavit signed by the~~

3 1 veterinarian which certifies information regarding the
3 2 treatment of the horse. The affidavit must be delivered to a
3 3 commission veterinarian within twenty minutes following the
3 4 treatment. The statement must at least include the name of
3 5 the practicing veterinarian, the tattoo number of the horse,
3 6 the location of the barn and stall where the treatment
3 7 occurred, the race number of the horse, the name of the
3 8 trainer, and the time that the lasix was administered. Lasix
3 9 shall only be administered in a dose level of two hundred
3 10 fifty milligrams.

~~The commission veterinarian shall extract a~~

3 11

~~test sample of the horse's blood, urine, or saliva to~~

3 12

~~determine whether the horse was improperly drugged after the~~

3 13

~~race is run.~~

3 14 Sec. 5. RULEMAKING. The rules required to be adopted by
3 15 the racing and gaming commission as provided in section
3 16 99D.25, subsection 11, as enacted in this Act, shall be
3 17 adopted by the commission after consulting with an association
3 18 representing Iowa racing and gaming equine veterinarians and
3 19 the board of stewards.

3 20 EXPLANATION

3 21 This bill amends provisions in chapter 99D which provides
3 22 for pari-mutuel racing as regulated by the racing and gaming
3 23 commission.

3 24 The bill increases the amount of phenylbutazone ("bute")
3 25 that may be administered to a horse from 2.2 to 5.0 micrograms
3 26 per milliliter of blood. The bill changes the term
3 27 "millimeter" to "milliliter".

3 28 The bill provides that a commission veterinarian must
3 29 regularly test a horse that has finished first, second, or in
3 30 a special position, to ensure that the horse has not been
3 31 unlawfully drugged. Currently, there is no such requirement.
3 32 The bill eliminates a requirement that any horse administered
3 33 with lasix must be tested after the horse has completed a
3 34 race.

3 35 The bill requires the commission to adopt rules, after
4 1 consultation with certain persons, relating to the possession
4 2 and administration of medication used to treat horses within a
4 3 racetrack enclosure. The bill provides that the standard must
4 4 concern whether the medications have a health-related purpose.
4 5 Currently, rules adopted by the commission govern the use and
4 6 possession of medication.

4 7 The bill requires the commission to provide for the

4 8 imposition and assessment of civil penalties against trainers
4 9 of horses which test for concentrations of "bute" in their
4 10 systems in amounts higher than required by law. Currently,
4 11 penalties are based upon the number of violations committed by
4 12 a trainer. The penalty for the first violation is \$200, the
4 13 penalty for the second violation is \$500, and the penalty for
4 14 subsequent violations is established by commission rule.

4 15 The bill allows a horse to be treated with lasix in the
4 16 horse's stall, unless the commission provides that a horse
4 17 must be brought to a detention barn for treatment. The bill
4 18 requires the commission to adopt rules to ensure that lasix is
4 19 lawfully administered. The bill requires the veterinarian
4 20 administering lasix to provide an affidavit relating to the
4 21 horse's treatment. Currently, all testing must be performed
4 22 in a detention barn under the supervision of a commission
4 23 veterinarian.

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