

1 A bill to be entitled

2 An act relating to greyhound racing; amending s.
3 550.2415, F.S.; providing a short title; prohibiting
4 the Division of Pari-mutuel Wagering of the Department
5 of Business and Professional Regulation from granting
6 a license or permit to an applicant convicted of
7 animal cruelty, felony aggravated assault or battery,
8 or felony child abuse; requiring the division to
9 immediately revoke a license or permit of a person
10 convicted of animal cruelty; requiring that
11 prosecution for a violation must begin within 180 days
12 after the violation is committed; providing the
13 procedure for collection and retention of urine and
14 blood samples; providing that the division may not
15 commence administrative proceedings and must reinstate
16 a suspended license if the division cannot confirm a
17 positive test result; requiring the division to
18 maintain records of greyhound injuries in certain
19 circumstances; specifying requirements for greyhound
20 injury records; specifying record retention
21 requirements; providing a fine for making a false
22 statement on an injury record; providing certain
23 requirements for maintaining safe racing facilities
24 and racetrack surfaces; providing rulemaking
25 authority; providing an effective date.
26

27 Be It Enacted by the Legislature of the State of Florida:

28

29 Section 1. Present subsections (1) through (13) of section
 30 550.2415, Florida Statutes, are redesignated as subsections (2)
 31 through (14), respectively, a new subsection (1) is added to
 32 that section, present paragraphs (c) and (d) of present
 33 subsection (3) of that section are redesignated as paragraphs
 34 (e) and (f), respectively, new paragraphs (c) and (d) are added
 35 to that subsection, and present paragraph (d) of that subsection
 36 is amended, present subsections (4) and (5) of that section are
 37 amended, and paragraphs (f), (g), and (h) are added to present
 38 subsection (6) of that section, to read:

39 550.2415 Racing of animals under certain conditions
 40 prohibited; penalties; exceptions.—

41 (1) This section may be cited as the "Greyhound Safety
 42 Act."

43 ~~(4)-(3)~~

44 (c) The division may not grant a license or permit under
 45 this chapter to an applicant who has been convicted of animal
 46 cruelty pursuant to s. 828.12 and shall immediately revoke the
 47 license or permit of a person found guilty of violating s.
 48 828.12.

49 (d) The division may not grant a license or permit under
 50 this chapter to an applicant who has been convicted of a felony
 51 for aggravated assault or battery pursuant to chapter 784 or a
 52 felony for the abuse of a child pursuant to chapter 827.

53 (f)~~(d)~~ Any proceeding for administrative action against a
54 licensee or permittee, other than a proceeding under paragraph
55 (e) ~~(e)~~, shall be conducted in compliance with chapter 120.

56 (5)~~(4)~~ A prosecution pursuant to this section for a
57 violation of this section must begin within 180 ~~90~~ days after
58 the violation was committed. Service of an administrative
59 complaint marks the commencement of administrative action.

60 (6)~~(5)~~ The division shall implement a split-sample
61 procedure for testing animals under this section. Using the
62 split-sample procedure, the division shall split each urine and
63 blood sample into a primary sample and a secondary (split)
64 sample upon collection. The division shall transfer custody of
65 the primary sample to the division laboratory and shall retain
66 custody of the split sample, except as provided in this
67 subsection.

68 (a) The division shall notify the owner or trainer, the
69 stewards, and the appropriate horsemen's association of all drug
70 test results. If a drug test result is positive, and upon
71 request by the affected trainer or owner of the animal from
72 which the sample was obtained, the division shall send the split
73 sample to an approved independent laboratory for analysis. The
74 division shall establish standards and rules for uniform
75 enforcement and shall maintain a list of at least five approved
76 independent laboratories for an owner or trainer to select from
77 if a drug test result is positive.

78 (b) If the division laboratory's findings are not

79 confirmed by the independent laboratory, no further
80 administrative or disciplinary action under this section may be
81 pursued.

82 (c) If the independent laboratory confirms the division
83 laboratory's positive result, the division may commence
84 administrative proceedings as prescribed in this chapter and
85 consistent with chapter 120. For purposes of this subsection,
86 the department shall in good faith attempt to obtain a
87 sufficient quantity of the test fluid to allow both a primary
88 test and a secondary test to be made.

89 (d) For the testing of a racing greyhound, if there is an
90 insufficient quantity of the secondary (split) sample for
91 confirmation of the division laboratory's positive result, the
92 division may not commence administrative proceedings as
93 prescribed in this chapter and consistent with chapter 120, and
94 a license suspended as a consequence of a positive result that
95 cannot be confirmed must be immediately reinstated.

96 (e) For the testing of a racehorse, if there is an
97 insufficient quantity of the secondary (split) sample for
98 confirmation of the division laboratory's positive result, the
99 division may not take further action on the matter against the
100 owner or trainer, and any resulting license suspension must be
101 immediately lifted.

102 (f) The division shall require its laboratory and the
103 independent laboratories to annually participate in an
104 externally administered quality assurance program designed to

105 assess testing proficiency in the detection and appropriate
106 quantification of medications, drugs, and naturally occurring
107 substances that may be administered to racing animals. The
108 administrator of the quality assurance program shall report its
109 results and findings to the division and the Department of
110 Agriculture and Consumer Services.

111 ~~(7)-(6)~~

112 (f) The division shall maintain records of injuries that a
113 greyhound sustains while racing at a greyhound racetrack in this
114 state, including injuries that occurred during a schooling race.

115 1. The injury record must include all of the following:

116 a. The greyhound's registered name, right-ear and left-ear
117 tattoo numbers, and, if applicable, the microchip manufacturer
118 and number.

119 b. The names, business addresses, and telephone numbers of
120 the greyhound owner, the trainer, and the kennel operator.

121 c. The color, weight, and sex of the greyhound.

122 d. The location where the injury occurred.

123 e. If the injury occurred during a race, the racetrack
124 where the injury occurred, the condition of the racetrack, and
125 the distance, the grade, the race, and the post position of the
126 greyhound when the injury occurred.

127 f. The time and weather conditions at the facility when
128 the injury occurred.

129 g. The specific type and bodily location of the injury,
130 the cause of the injury, and the estimated recovery time for the

131 injury.

132 2. An injury record must be completed and signed under
133 oath or affirmation under penalty of perjury by the racetrack
134 veterinarian, whose signature must be witnessed by a designated
135 representative of the division.

136 3. The division shall maintain an injury record for 7
137 years after the injury occurred, and such records shall be made
138 readily available to the public upon oral or written request to
139 the division.

140 4. A person who knowingly makes a false statement on an
141 injury record is subject to a fine of up to \$1,500. Each
142 subsequent violation of this subparagraph will result in a fine
143 of at least \$3,000.

144 (g) A dogracing permitholder operating in this state must:

145 1. Maintain its facility in a manner that provides for the
146 safety of racing greyhounds.

147 2. Maintain a safe racetrack surface at all times pursuant
148 to the safety standards adopted by the division.

149 3. Install a safety device that removes the lure from the
150 racetrack surface.

151 4. Insulate all exposed electrical wires on the racetrack
152 surface or anywhere at the facility where a racing greyhound may
153 come into contact with electrical wires.

154 (h) The division shall adopt by rule safety standards
155 relating to racetrack surfaces.

156 Section 2. This act shall take effect July 1, 2016.