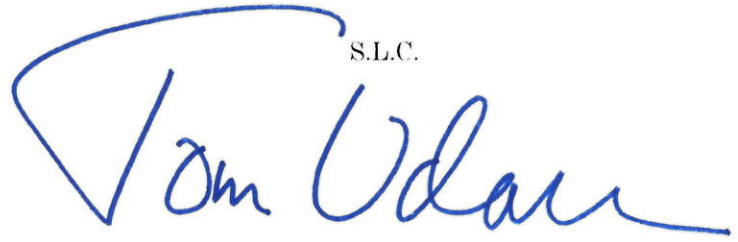


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S.L.C.



AMENDMENT NO. _____ Calendar No. _____

Purpose: To improve the integrity and safety of interstate horseracing.

IN THE SENATE OF THE UNITED STATES—116th Cong., 2d Sess.

S. 3248

To reauthorize the United States Anti-Doping Agency, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. UDALL

Viz:

1 At the end, add the following:

2 **SEC. 6. RACEHORSE DOPING BAN.**

3 (a) DEFINITIONS.—In this section:

4 (1) INTERSTATE OFF-TRACK WAGER; HORSE-
5 MEN'S GROUP; HOST RACING ASSOCIATION; OFF-
6 TRACK BETTING SYSTEM.—The terms “interstate
7 off-track wager”, “horsemen's group”, “host racing
8 association”, and “off-track betting system” have
9 the meanings given those terms in section 3 of the
10 Interstate Horseracing Act of 1978 (15 U.S.C.
11 3002).

1 context of a veterinarian-client-patient re-
2 lationship; and

3 (iii) the use of substances, methods,
4 and treatments permitted under clause (ii),
5 including rules with respect to the period
6 before a horserace (which may not be less
7 than 24 hours before a horserace) during
8 which a horse may no longer receive such
9 substances, methods, and treatments.

10 (B) Implementing programs relating to
11 anti-doping education, research, testing, and
12 adjudication to prevent any horse participating
13 in a horserace described in paragraph (1) from
14 racing under the effect of any substance, meth-
15 od, or treatment that could affect the perform-
16 ance of the horse (other than a substance,
17 method, or treatment described in clause (ii) of
18 subparagraph (A) administered during a time
19 period that is permitted under clause (iii) of
20 that subparagraph).

21 (C) Excluding from participating in any
22 horserace described in paragraph (1) any per-
23 son that the independent anti-doping organiza-
24 tion or a State racing commission determines—

1 (i) has violated a rule with respect to
2 a substance, method, or treatment that
3 may not be administered to a horse partici-
4 pating in such a horserace under clause (i)
5 of subparagraph (A);

6 (ii) has violated three or more times a
7 rule with respect to a substance, method,
8 or treatment permitted under clauses (ii)
9 and (iii) of that subparagraph that has the
10 ability to affect the performance of a
11 horse; or

12 (iii) is subject to a suspension from
13 horseracing activities by any State racing
14 commission.

15 (3) DEADLINE.—The independent anti-doping
16 organization referred to in paragraph (1) shall pub-
17 lish the rules required by paragraph (2) not later
18 than one year after the date of the enactment of this
19 Act.

20 (4) SUSPENSION OF EXCLUSION PERIOD.—The
21 independent anti-doping organization referred to in
22 paragraph (1) may—

23 (A) suspend a period of exclusion from
24 participating in a horserace imposed on a per-
25 son pursuant to paragraph (2)(C) if the person

1 provides substantial assistance to the organiza-
2 tion or other persons that results in the dis-
3 covery of—

4 (i) a violation of a rule published
5 under paragraph (2) by another person; or

6 (ii) a violation of Federal or State law
7 by another person; and

8 (B) reinstate all or part of a period of ex-
9 clusion imposed on a person and suspended
10 under subparagraph (A) if the person fails to
11 provide substantial assistance described in that
12 subparagraph.

13 (5) CONSULTATIONS.—In developing, pub-
14 lishing, and maintaining rules under paragraph
15 (2)(A), the independent anti-doping organization re-
16 ferred to in paragraph (1) may consult with State
17 racing commissions, host racing associations, horse-
18 men's groups, and other interested persons.

19 (6) TRANSITION RULE WITH RESPECT TO
20 FUROSEMIDE.—During the 2-year period beginning
21 on the date of the enactment of this Act, the inde-
22 pendent anti-doping organization referred to in para-
23 graph (1) shall permit the use of furosemide in a
24 horse participating in a horserace described in that
25 paragraph if—

1 (A) the horse is 3 years old or older; and

2 (B) the use of furosemide—

3 (i) complies with the requirements of
4 the document entitled “ARCI–011–020
5 Medications and Prohibited Substances”
6 published by the Association of Racing
7 Commissioners International, Inc.; and

8 (ii) is within the context of a veteri-
9 narian-client-patient relationship.

10 (7) DESIGNATION OF ORGANIZATION.—The
11 independent anti-doping organization designated
12 pursuant to section 701 of the Office of National
13 Drug Control Policy Reauthorization Act of 2006
14 (21 U.S.C. 2001) shall serve as the independent
15 anti-doping organization referred to in paragraph
16 (1).

17 (c) CONSENT REQUIRED FOR ACCEPTANCE OF
18 INTERSTATE OFF-TRACK WAGERS.—

19 (1) IN GENERAL.—On and after the date of the
20 enactment of this Act, a host racing association may
21 conduct a horserace that is the subject of an inter-
22 state off-track wager, and an interstate off-track
23 wager may be accepted by an off-track betting sys-
24 tem, only if consent is obtained from the inde-

1 pendent anti-doping organization referred to in sub-
2 section (b)(1).

3 (2) REQUIREMENT FOR AGREEMENT.—

4 (A) IN GENERAL.—A host racing associa-
5 tion shall obtain the consent required by para-
6 graph (1) of the independent anti-doping orga-
7 nization referred to in subsection (b)(1) pursu-
8 ant to an agreement entered into between the
9 association and the organization that specifies
10 the terms and conditions relating to such con-
11 sent, including—

12 (i) compliance with the rules pub-
13 lished under subsection (b)(2); and

14 (ii) payments to the organization to
15 defray the costs of carrying out the duties
16 of the organization under this section.

17 (B) DEFRAYAL OF COSTS.—The inde-
18 pendent anti-doping organization referred to in
19 subsection (b)(1) shall ensure that all of the
20 costs incurred by the organization in carrying
21 out the duties of the organization under this
22 section are defrayed pursuant to agreements
23 entered into under subparagraph (A).