

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

## SENATE ENROLLED ACT No. 86

AN ACT to amend the Indiana Code concerning agriculture and animals.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 4-31-12-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. ~~(a) As used in this section, "confirmed bleeder" means a horse that:~~

- ~~(1) is examined by or in the presence of a regulatory veterinarian;~~
- ~~(2) during the examination demonstrates visible external evidence of exercise-induced pulmonary hemorrhage or existence of hemorrhage in the trachea after exercise upon endoscopic examination; and~~
- ~~(3) is certified in writing as a confirmed bleeder by a commission veterinarian and entered on the bleeder list by that veterinarian.~~

~~A copy of the written certification under subdivision (3) shall be issued to the owner of the horse or the owner's agent upon request.~~

~~(b) (a) Except for phenylbutazone and furosemide, no as permitted by the rules of the commission, a horse participating in a race shall may not carry in its body any foreign substance. Phenylbutazone is permitted at a test level not to exceed five (5) micrograms per milliliter of blood. Furosemide is permitted for confirmed bleeders. Horses qualified for furosemide must be treated at least four (4) hours before post time. Furosemide shall be administered at an intravenous dose level not to exceed two hundred fifty (250) milligrams.~~

~~(c) (b) The commission shall adopt the rules the commission considers necessary to implement this section. Before adopting a rule~~

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with regard to permitting the use of any medication, the commission shall consider the model rules approved by the Association of Racing Commissioners International.

~~(d)~~ (c) In order to inform the racetrack patrons of those horses running with medication, the permit holder shall indicate in the racing program a horse that is racing with ~~phenylbutazone, furosemide, or both~~: **a medication permitted by the rules of the commission.**

SECTION 2. IC 4-31-12-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 8. (a) As used in this section, "milkshake or bicarbonate loading" means a bicarbonate or alkaline substance, administered to a horse by any possible means, that elevates the horse's bicarbonate level or pH level above those existing naturally in the untreated horse at normal physiological concentrations as determined by the commission.

(b) A finding by the chemist or an authorized commission employee that a milkshake or bicarbonate loading or a foreign substance, other than ~~the amount of phenylbutazone or furosemide~~ as **a medication** permitted by ~~section 2 of this chapter~~ and the rules of the commission, is present in the test sample shall be considered:

- (1) a positive test and a violation of section 2 of this chapter; and
- (2) prima facie evidence that:
  - (A) the milkshake or bicarbonate loading or foreign substance was administered and carried or attempted to be carried in the body of the horse while participating in a race; and
  - (B) the trainer and the trainer's agents responsible for the care and custody of the horse have been negligent in the handling or care of the horse.

(c) The commission may establish the concentration level that is an unacceptable concentration level for substances that it considers necessary for the detection of a milkshake or bicarbonate loading under this section.

SECTION 3. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2006]: IC 4-31-2-22; IC 4-31-12-9.

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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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