

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61D-6.012 Penalty Guidelines for Class I-V Drug Violations in Greyhounds.

(1) The penalties in this rule shall be imposed when the division finds that the following substances have been identified by the state laboratory in a urine sample or blood sample collected from a horse participating in a pari-mutuel event. Any drug or medication that:

(a) Is not approved for veterinary use in the United States by the Food and Drug Administration;

(b) Cannot be detected by the state laboratory in a urine or blood sample unless the medication was administered within 24 hours of the race; or

(c) Results in urine or blood concentrations that indicate a level of dosage that would constitute a treat to the health and safety of the greyhound.

1. First violation

\$1,000 to \$2,500 fine, suspension or revocation of license; redistribution of purse

2. Any subsequent violation

\$2,500 to \$5,000 fine, suspension or revocation of license; redistribution of purse

(2) The penalty for any medication or drug which is not described in (1) above shall be based upon the classification of the medication or drug found in the Uniform Classification Guidelines for Foreign Substances, revised August 2008, as promulgated by the Association of Racing Commissioners International, Inc., which is hereby incorporated and adopted by reference. A copy of this document may be obtained by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1035. The penalty schedule shall be as follows:

(a) Class I impermissible substances:

1. First violation

\$500 to \$1,000 fine, suspension or revocation of license;

2. Any subsequent violation

\$1,000 to \$5,000 fine, suspension or revocation of license.

(b) Class II impermissible substances:

1. First violation

\$100 to \$1,000 fine, suspension of license up to 30 days;

2. Second violation within 36 months of a previous violation

\$250 to \$1,000 fine, suspension or revocation of license;

3. Third violation within 36 months of a second violation, or a fourth or any subsequent violation without regard to the time past since the third violation

\$500 to \$1,000 fine, suspension or revocation of license.

(c) Class III impermissible substances:

1. First violation

\$50 to \$500 fine;

2. Second violation within 12 months of a previous violation

\$150 to \$750 fine, suspension of license up to 30 days;

3. Third violation within 24 months of a second violation, or a fourth or any subsequent violation without regard to the time past since the third violation

\$250 to \$1,000 fine, suspension of license up to 60 days.

(d) Class IV or V impermissible substances:

1. First violation

Reprimand, \$50 to \$250 fine;

2. Second violation in a 12 month period

\$100 to \$500 fine;

3. Third or subsequent violation in a 12 month period

\$200 to \$1,000 fine, suspension of license up to 30 days.

(3) Nothing in this rule modifies the provisions of Rule 61D-6.008 or 61D-3.002, Florida Administrative Code, or rules promulgated under Section 550.2415(16), F.S.

Specific Authority 550.0251(3), 550.2415(13), (14) FS. Law Implemented 550.0251, 550.1155, 550.2415(14) FS. History--New 1-5-98, Amended 2-8-01, 3-4-07.