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FISCAL IMPACT REPORT

ORIGINAL DATE 2/15/15

SPONSOR Sanchez, M LAST UPDATED _____ HB _____

SHORT TITLE Prohibited Substances In Racehorses SB 366

ANALYST Elkins

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		Indeterminate	Indeterminate			

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

State Racing Commission (SRC)

SUMMARY

Synopsis of Bill

Senate Bill 366 would prohibit the use of any drug, chemical, stimulant, depressant, other substance not naturally occurring, or abnormal levels of natural substances in a race horse. Also, any race horse that is found to have any drug, chemical, stimulant, depressant, other substance not naturally occurring, or abnormal levels of natural substances would be disqualified from racing in New Mexico until SRC takes action against the appropriate licensee. Any person who administers, attempts to administer, or conspires with others to administer to a race horse any drug, stimulant, depressant, other substance not naturally occurring in a horse, or abnormal level of a substance naturally occurring in a horse as defined by the Association of Racing Commissioners International (ARCI) is guilty of a fourth degree penalty. Currently, only a person who administers, attempts to administer, or conspires with others to administer a class 1 or class 2 penalty A drug, the highest classification of drugs by ARCI, is guilty of a fourth degree felony.

FISCAL IMPLICATIONS

SB 366 could require an increase in SRC's operating budget to enforce, investigate, and prosecute violations of the Horse Racing Act. Every violation, include those for therapeutic medications, will now become a fourth degree felony. All cases will need to be turned over to the District Attorney's Office for prosecution.

SIGNIFICANT ISSUES

The State Racing Commission has the following concerns:

SRC has adopted the ARCI controlled substances and penalties guidelines which promote uniformity between New Mexico racing and other states. ARCI develops these guidelines after consultation with experts in the industry which include veterinarians.

The enactment of this bill will negate ARCI's carefully crafted guidelines and make any use of medications in racehorses illegal. New Mexico has made great strides in increasing the integrity of the sport through the adoption and enforcement of the ARCI guidelines. SRC supports the continued improvement of integrity in the sport that Senate Bill 366 seeks. However, it is also concerned about the welfare and health of the horses.

CE/bb