Horseracing Integrity and Safety Act Summary

I. Structure

- The Act appoints a private, independent, self-regulatory entity for the purposes of developing and implementing the horseracing anti-doping and medication control program and the racetrack safety program (the "Authority"). The Act applies only to Thoroughbreds unless other breeds elect to be included.
- The Board of Directors of the Authority will be comprised of 9 members – 5 independent members and 4 industry members. The Chair of the Board must be an independent member. All members will be subject to conflict of interest provisions. The Board will be appointed by an independent blue-ribbon panel.
- There will be two standing committees that will be established at the outset of the development of the Authority to provide advice and guidance to the board on the development of rules and regulations under the Authority's jurisdiction – the Anti-Doping and Medication Control Standing Committee and the Racetrack Safety Standing Committee. Each standing committee will be made up of seven members – a majority of which will be independent members. Except for the Chairman, the members of the Advisory committees will include non-board members, allowing the committees to bring in additional experienced individuals.
- Agreements may be entered into with a state racing commission to implement components of the horseracing medication control program or the racetrack safety program.

II. Oversight

- The Federal Trade Commission (the "Commission") shall have oversight of the Authority.

III Anti-Doping and Medication

- The baseline anti-doping and medication rules are based on (i) the International Federation of Horseracing Authorities; (ii) the World Anti-Doping Agency International Standard for Laboratories (version 10.0), dated November 12, 2019; (iii) the Association of Racing Commissioners International out-of-competition testing standards, Model Rules of Racing (version 9.2); and (iv) The Association of Racing Commissioners International penalty and multiple medication violation rules, Model Rules of Racing (version 6.2).
- There is a prohibition on the administration of any prohibited substance to a horse within 48 hours of its next racing start; however, State racing commissions may request an exemption for a period of three years from the effective date of the Authority on a furosemide restriction except for two-year-old races and stakes races
- The Authority shall convene an advisory committee to conduct a study on the use of furosemide on horses during the 48 hour-period before the start of a race. The report must be submitted to the Authority within 3 years following the program effective date. Following the study, by unanimous vote, the Authority may choose to modify, subject to established criteria, the prohibition of substances within the 48 hour-period leading up to covered races.
- Regarding the enforcement of the anti-doping and medication control program, the Authority shall contract with the U.S. Anti-Doping Agency (USADA) for services consistent with the horseracing anti-doping and medication control program for the initial 5 years of the program. Subsequently, or if an agreement cannot be reached with USADA, the Authority may contract with a different entity.

IV. Racetrack Safety Program.

- In the development of the horseracing safety program, the Authority and the Commission shall take into consideration existing safety standards including the National Thoroughbred Racing Association Safety and Integrity Alliance Code of Standards, the International Federation of Horseracing Authority's International Agreement on Breeding, Racing, and Wagering, and the British Horseracing Authority's Equine Health and Welfare program.
- The Authority shall also develop and maintain a nationwide database of racehorse safety, performance, health, and injury information.