

Date of Hearing: August 11, 2020

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Lorena Gonzalez, Chair
SB 800 (Dodd) – As Amended July 27, 2020

Policy Committee: Governmental Organization Vote: 17 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: No

SUMMARY:

This bill makes certain racehorse medical information and urine and blood test results more readily available to the public. Specifically, this bill:

- 1) Allows a veterinarian to disclose medical information when the care or service was for a horse that participated in the previous year, or will participate, in a licensed horse race. In these cases, the entire medical record will be made available upon the request of anyone responsible for the direct medical care of the horse, including the California Horse Racing Board (CHRB) or any other state or local governmental entity.
- 2) Allows the findings of a blood or urine test sample – including the official test sample as well as the split sample – to be made public upon an independent laboratory confirmation of the presence of a prohibited substance in the split sample or upon an owner’s waiver of the split sample testing.
- 3) Requires CHRB to post weekly list of all horse fatalities that occur within a licensed enclosures and to post the results of all non-confidential test samples.

FISCAL EFFECT:

No additional state costs.

COMMENTS:

- 1) **Background.** The 2018-19 horse racing season saw an uptick in horse fatalities that garnered significant public attention. Between December 26, 2018 and March 31, 2019, 23 horses died at Santa Anita Park. In response to the deaths, Santa Anita and CHRB announced various safety measures, such as granting independent veterinarians the power to prevent horses from racing if they seem unfit in the pre-race process. Notably, at one point in March 2019, CHRB asked Santa Anita to suspense racing for the rest of the season, which Santa Anita rejected.

In June 2019, the Governor signed SB 469 (Dodd), Chapter 22, Statutes of 2019, which authorized CHRB to immediately suspend a license to conduct horse racing if necessary to protect the health and safety of horses and riders. Subsequently, a number of expert-led panels along with CHRB developed a range of recommendations and procedures to improve safety at the racetrack. As the policy committee analysis notes, these new measures and protocols reduced, but did not eliminate, fatalities.

- 2) **Testing and split samples.** Under current law, any CHRB-required blood or urine test sample from a horse must be divided into an official test sample and a split sample. If the official testing laboratory finds a prohibited drug substance in the official test sample, the horse owner or trainer may ask an independent laboratory to test the split sample. An owner or trainer may also waive the split sample testing and accept the official test result. Under existing law, the results of these tests are required confidential until the CHRB files an official complaint against the horse owner, which typically occurs once the independent laboratory validates a positive test result. As a result, there is little public information on negative test results. This bill allows test results to be made public once an independent laboratory confirms an official finding or upon an owner's waiver of the split sample testing option.
- 3) **Purpose.** According to the author, SB 800 will “help ensure California is the safest horse racing jurisdiction in the nation.” The author notes this bill implements recommendations made by CHRB regarding transparency around medical records, drug test results and information on horse fatalities.
- 4) **Budget action.** The 2020-21 Budget Act included additional funding for enhanced safety procedures phased in over a four-year period. The budget includes \$166,000 (Horse Racing Fund) in 2020-21, which will grow to \$890,000 by 2023-24, and will support additional investigations of racehorse deaths as well as additional physical examinations.

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