

**HORSE RACING LAW OF 1995 (EXCERPT)**  
**Act 279 of 1995**

**431.330 Administration of drug or foreign substance.**

Sec. 30.

(1) A drug or foreign substance must not be administered to a horse that is intended to be entered or is entered, or be present in a horse that participates, in a race with pari-mutuel wagering or any nonbetting race or workout that is conducted at a licensed race meeting in this state. A banned drug, a nontherapeutic drug, or a foreign substance designated by the racing commissioner as not permitted must not be present in a horse eligible to race that is stabled in this state on the grounds of a race meeting licensee, off-track training center, farm, or stable.

(2) A drug or foreign substance may be administered to a horse that is intended to be entered or is entered, or be present in a horse that participates, in a race with pari-mutuel wagering or any nonbetting race or workout that is conducted at a licensed race meeting in this state only if authorized by the racing commissioner by rule or written order for use in the care or treatment of the horse. A veterinarian is not prohibited by this section from administering to a horse any drug or foreign substance that is necessary and appropriate for the emergency veterinary care and treatment of the horse under accepted standards of veterinary practice in this state. The treating veterinarian and the horse's trainer shall report immediately to the racing commissioner, the state veterinarian, or the steward any unauthorized or emergency administration of an unauthorized drug or foreign substance to a horse that is intended to be entered, is entered, or participates in a race or workout at a licensed race meeting in this state, before the running of the race or workout, in the manner and form prescribed by the racing commissioner and the stewards shall scratch the horse from the race.

(3) A veterinarian who administers a drug or foreign substance to any horse that is intended to be entered, is entered, or participates in a race or workout that is to be conducted at a licensed race meeting in this state shall keep and maintain a true and complete written record of the veterinarian's examination, examination findings, diagnosis and treatment of the horse, and all drugs or foreign substances administered to the horse by the veterinarian, in the manner and form prescribed by the racing commissioner, and shall provide the record to the commissioner for review on request.

(4) The racing commissioner or his or her designee shall conduct random testing to detect the presence of a drug or foreign substance in all winning horses and in any other horse in each horse race and may conduct individual testing for the presence of a drug or foreign substance in any horse eligible to race within the grounds of a racetrack or off-track training center, farm, or stable.

(5) The racing commissioner shall issue written orders or promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, that specify the condition of the horse that must exist in order to permit authorization of the use and possession of a foreign substance or a permissible drug for the intended care or treatment of a horse and that specify the procedures that must be followed in administering the authorized drugs. Any written order issued by the racing commissioner under this section must be available for review in the office of racing commissioner at each licensed race meeting in this state.

(6) Except as authorized by the racing commissioner or as provided in this section, a person who administers or conspires to administer a drug or foreign substance, that could affect the racing condition or performance of a horse, internally, externally, by hypodermic method, or by any other method, to a horse that is intended to be entered, is entered, or participates in a race or workout at a licensed race meeting in this state, or who knowingly starts a horse in any race or workout at a licensed race meeting in this state knowing that the horse was administered a drug or foreign substance, by any method, after the horse was entered or intended to be entered in the race or workout is guilty of a felony punishable by a fine of not more than \$10,000.00 or by imprisonment for not more than 5 years, or both.

(7) A postmortem examination must be performed on every horse that dies at a racetrack. The postmortem examination must be a complete autopsy unless the racing commissioner, on the advice of the veterinarian, is satisfied as to the cause of death without the complete autopsy being performed. A complete autopsy must be ordered and performed if the presence of a drug or foreign substance in the horse is suspected.

**History:** 1995, Act 279, Imd. Eff. Jan. 9, 1996 ;-- Am. 2016, Act 271, Imd. Eff. July 1, 2016