



Memorandum in Support

COMMITTEE ON ANIMALS AND THE LAW

Animals #28

February 29, 2024

S. 7556

By: Senator Addabbo.

A. 7586

By: M. of A. Woerner

Senate Committee: Racing, Gaming and Wagering

Assembly Committee: Racing and Wagering

Effective Date: 180th day after it shall have become a law

AN ACT providing for standardbred equine drug testing standards by permitting the New York State Gaming Commission to participate in the interstate compact on anti-doping and drug testing standards.

LAW & SECTIONS REFERRED TO: Art 11-A §§ 1113 – 1125, Racing, Pari-Mutuel Wagering and Breeding Law.

THE COMMITTEE ON ANIMALS AND THE LAW **SUPPORTS THIS LEGISLATION**

This bill is designed to authorize the New York State Gaming Commission to participate in the Standardbred Interstate Racing Anti-Doping and Drug Testing Standards Compact which will promote the streamlined and uniform adoption of model Standardbred industry medication rules and standards; enhance equine drug testing; standardize the ability to maintain the integrity of Standardbred racing; and protect the health, safety and welfare of the Standardbred horse and driver.

This bill, which needs legislative adoption by each state intending to participate in the Compact, would allow each of the participating states simultaneously to propose, consider, adopt and implement model rules and policies for Standardbred racing.

Under the Compact, there will be a Compact Commission, whose sole authority will be to propose, consider and adopt uniform rules and regulations relating to Standardbred equine medication practices and drug testing. Each participating state racing commission will appoint a delegate who will represent that state on the Commission. In this process, all of the states which have a stake in the Standardbred industry will have participated in the rules development process.

Opinions expressed are those of the Section/Committee preparing this memorandum and do not represent those of the New York State Bar Association unless and until they have been adopted by its House of Delegates or Executive Committee.

The Compact is supported by the Association of Racing Commissioners International, which approves all model rules after consultation with industry stakeholders.

According to the 2012 report from the New York Task Force on Racehorse Health and Safety, created to investigate racehorse deaths at Aqueduct Race Track from November 30, 2011 – March 18, 2012, the deaths in that period of time were about double the number recorded in the previous two years and exceeded the North American average for racing facilities. Equine drug use was identified at the beginning of the task force deliberations as one of the factors that the Task Force should examine. The Task Force's final report included a number of recommendations related to allowing or prohibiting use of certain drugs, or prohibitions on use of certain drugs within specified time periods before a horse will race.

Moreover, in 2020 more than two dozen racehorse trainers, veterinarians and drug distributors were indicted on federal felony charges in Manhattan, in connection with a broad scheme in which many defendants were convicted of using prohibited equine medications to enhance horses' performance and to avoid detection in drug tests. These criminal acts, among other things, resulted in unnecessary equine deaths. Clearly, this bill is necessary to assist in adequately protecting Standardbred racehorses in New York State.

This bill is vital to create processes to ensure regulations, penalties, thresholds, etc., are consistent among jurisdictions. The Compact creates a more streamlined process for many of the states that have difficulty in navigating their legislative or regulatory hurdles to achieve the goals of the bill. Thus, New York Standardbreds would be better protected not only in New York but also in other states in which they might race.

For the foregoing reasons, the Committee on Animals and the Law **SUPPORTS** the passage and enactment of this legislation.