

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

431.331 Prohibited acts; violation as misdemeanor; penalty; exceptions.

Sec. 31. (1) Except as provided in subsection (3), a person who does any of the following, or who aids or abets another in doing any of the following, is guilty of a misdemeanor punishable by a fine of not more than \$10,000.00 or by imprisonment for not more than 1 year, or both:

(a) Introduces an object or foreign substance into the nostrils or windpipe of a horse that is entered or intended to be entered in a race or workout at a licensed race meeting in this state for the purpose of affecting the racing condition or performance of the horse in a race or workout, without authorization of the racing commissioner.

(b) Has in his or her possession within the confines of a racetrack, stable, shed, building, or grounds of a licensed race meeting, or within the confines of an off-track stable, shed, building, or grounds where horses are kept that are eligible to race over the racetrack of the holder of a race meeting license, any drug not authorized by the racing commissioner for use at those locations, or a battery or buzzer, electrical or mechanical, or syringe, hypodermic needle, or other appliance device, other than the ordinary whip, that may or can be used for the purpose of affecting a horse's racing condition or performance in a race or workout at a licensed race meeting in this state.

(c) Has in his or her possession within the confines of a racetrack, stable, shed, building, or grounds of a licensed race meeting or within the confines of an off-track stable, shed, building, or grounds where horses are kept that are eligible to race over the racetrack of the holder of a race meeting license a controlled substance or a hypodermic needle or other instrument that can be used to administer a controlled substance, unless the controlled substance was obtained directly from or pursuant to a prescription from a licensed physician and the person notifies the racing commissioner or racing commissioner's designee that the person possesses the controlled substance or instrument.

(2) In addition to the penalties prescribed in subsection (1), the racing commissioner shall suspend the license of a person who is a licensee under this act and who does any of the acts described in subsection (1) for a period of not less than 5 years after the person is convicted.

(3) Subsections (1) and (2) do not prohibit the possession and use of drugs, foreign substances, controlled substances, hypodermic needles and syringes, nasogastric tubes, endotracheal tubes, endoscopes, or other instruments or equipment by a veterinarian within the confines of a racetrack, stable, shed, building, or grounds of a licensed race meeting or within the confines of an off-track stable, shed, building, or grounds where horses are kept that are eligible to race over the racetrack of the holder of a race meeting license, if the drugs and equipment are recognized and accepted in veterinary medicine for use in the care and treatment of horses and are possessed and used by the veterinarian in accordance with accepted standards of veterinary practice in this state and applicable state and federal laws and not in violation of other provisions of this act.

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