

AMENDED IN ASSEMBLY APRIL 24, 2013

AMENDED IN ASSEMBLY APRIL 15, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1388**

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**Introduced by Committee on Agriculture**

March 4, 2013

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An act to amend Sections 9641.5, 24000, 24001, 24004, 24005, 24006, 24008, 24009, 24011, 24012, and 24015 of, to amend and repeal Section 24011.5 of, and to add Section 24011.6 to, the Food and Agricultural Code, relating to horses.

LEGISLATIVE COUNSEL'S DIGEST

AB 1388, as amended, Committee on Agriculture. Horses: test verification, horse shows, competitions, and sales.

(1) Existing law requires any horse or other Equidae brought into this state to be accompanied by a certificate of health and verification that the horse or Equidae has been tested within the preceding 6 months and found negative to a test for equine infectious anemia, except as otherwise specified. A violation of those provisions is a crime.

This bill would instead require verification that a horse or other Equidae has been tested, and found negative, for equine infectious anemia within the preceding 12 months.

(2) Existing law provides for the regulation of horse shows, competitions, or sales by the Secretary of Food and Agriculture, and defines public horse shows, competitions, or sales for those purposes. Existing law provides that a trainer or owner of a horse, or both, are responsible for complying with the provisions regulating horse shows, competitions, and sales, and makes a trainer or owner responsible for

complying with specified requirements after any course of medical therapy has been administered or prescribed by a licensed veterinarian who is employed to examine or treat a horse pursuant to those provisions. Existing law generally requires every horse show, competition, or sale to be registered with the Department of Food and Agriculture, and requires an event manager to file a completed registration form with the department at least 30 days prior to the beginning of the event. A violation of the provisions relating to horse shows, competitions, or sales is a crime.

This bill would instead define events that are subject to those provisions as “public equine events” and “public horse sales,” as specified. The bill would specify that the trainer and owner are both responsible for compliance with the requirements regarding the administration of medical therapy after the licensed veterinarian is employed by either the trainer or owner. By expanding the scope of a crime, the bill would impose a state-mandated local program. The bill would extend the deadline for registration for an event by an event manager from 30 days to 60 days prior to the beginning of the event.

(3) Existing law makes the provisions regulating horse shows and competitions inapplicable to public horse shows and competitions that do not last longer than a day and in which the cumulative fees do not exceed \$4.99.

This bill would instead make the provisions regulating public equine events inapplicable to events where the entry fee for a single, one-day event does not exceed \$4.99, and any other fees charged do not exceed \$19.99.

(4) Existing law authorizes the therapeutic administration of nonsteroidal anti-inflammatory drugs (NSAIDs), prior to and during all events except public auctions, provided that the dosage does not exceed limits established by regulation. Existing law establishes the maximum detectable plasma levels for certain NSAIDs for those purposes.

This bill would require the department to establish, by regulation, an approved therapeutic medications list and maximum detectable plasma levels on or before July 1, 2014, and would repeal the provisions establishing the maximum detectable plasma levels specified by statute on that date.

(5) This bill would also make other technical and conforming changes.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 9641.5 of the Food and Agricultural Code  
2 is amended to read:

3 9641.5. (a) Any horse or other Equidae brought into this state  
4 shall be accompanied by the following:

5 (1) A certificate of health from the state of origin issued by an  
6 accredited veterinarian. The certificate shall state that the horse or  
7 other Equidae is free from evidence of any communicable disease.

8 (2) Verification that any horse or Equidae has been tested within  
9 the preceding 12 months and found negative to a test for equine  
10 infectious anemia. The test shall be approved by the secretary and  
11 conducted by a laboratory approved by the United States  
12 Department of Agriculture, and the necessary sample shall be  
13 taken, and the verification signed by, an accredited veterinarian.

14 (b) A nursing foal of less than six months of age when  
15 accompanied by a negative dam and any horse or other Equidae  
16 consigned for immediate slaughter shall be exempt from the testing  
17 requirements of this section.

18 (c) Any horse or other Equidae moved from California to another  
19 state for a period of not more than 14 days, is exempt from this  
20 section upon returning to California, provided that the exemption  
21 does not apply to any horse or other Equidae that leaves the  
22 continental United States.

23 SEC. 2. Section 24000 of the Food and Agricultural Code is  
24 amended to read:

25 24000. The Legislature finds and declares the following:

26 (a) That the public has a valuable interest in public equine events  
27 and public horse sales.

28 (b) That it is the intent of this chapter to ensure the integrity of  
29 public equine events and public horse sales through the control of

1 performance and disposition enhancing medications while limiting  
2 permitted therapeutic usage at horse shows and competitions.

3 ~~SEC. 3. Section 24001 of the Food and Agricultural Code is~~  
4 ~~amended to read:~~

5 ~~24001. For the purposes of this chapter:~~

6 ~~(a) “Event” means a public equine event or public horse sale~~  
7 ~~that is held in the state, including a cutting horse competition, an~~  
8 ~~endurance riding competition, a competitive trail competition, or~~  
9 ~~any other competition as determined by the department by~~  
10 ~~regulation.~~

11 ~~(b) An equine event that is subject to the provisions of this~~  
12 ~~chapter shall meet all of the following criteria:~~

13 ~~(1) Money, goods, or services are exchanged for the right to~~  
14 ~~compete.~~

15 ~~(2) Individuals compete for a single set of placings, points, or~~  
16 ~~awards at the equine event.~~

17 ~~(3) For one-day events, the entry fee to enter a single class~~  
18 ~~exceeds four dollars and ninety-nine cents (\$4.99), and either no~~  
19 ~~other fees are charged or other fees charged exceed nineteen dollars~~  
20 ~~and ninety-nine cents (\$19.99). Fees charged may include ground~~  
21 ~~fees, stall fees, or any other fees composed of money, goods, or~~  
22 ~~services assessed to permit competitors to enter into the event.~~

23 ~~(c) Sales that are subject to the provisions of this chapter are~~  
24 ~~public sales that permit a horse to be consigned for public sale.~~

25 ~~(d) The following events are excluded from this chapter:~~

26 ~~(1) Competitions subject to the jurisdiction of the California~~  
27 ~~Horse Racing Board.~~

28 ~~(2) Sales consisting solely of racing stock.~~

29 ~~(3) Parade horse competitions.~~

30 ~~(4) A timed rodeo-related performance competition when held~~  
31 ~~apart from a horse show, including, but not limited to, rodeo, roping~~  
32 ~~club, cattle team penning, barrel racing, and gymkhana.~~

33 ~~(e) “Event manager” means the person in charge of an event,~~  
34 ~~including the entity or individual financially responsible for the~~  
35 ~~event that is responsible for registering the event with the~~  
36 ~~department, and who is responsible for the assessment, collection,~~  
37 ~~and remittance of fees. “Event manager” includes horse show~~  
38 ~~secretaries and managers, competitive event managers, and horse~~  
39 ~~sale managers and sale owners.~~

40 ~~(f) “Horse” means all horses, mules, and asses.~~

1 ~~(g) “Licensed veterinarian” means a person licensed as a~~  
2 ~~veterinarian by the State of California.~~

3 ~~(h) “Prohibited substance” means a stimulant, depressant,~~  
4 ~~tranquilizer, anesthetic, including any local anesthetic, sedative~~  
5 ~~analgesic, corticosteroid, anabolic steroid, or agent that would sore~~  
6 ~~a horse, that could affect the performance, soundness, or disposition~~  
7 ~~of a horse, or any drug, regardless of how harmless or innocuous~~  
8 ~~it might otherwise be, that could interfere with the detection of~~  
9 ~~any prohibited substance, including any metabolite or derivative~~  
10 ~~of any prohibited substance.~~

11 ~~(i) “NSAID” means a nonsteroidal anti-inflammatory drug.~~

12 ~~(j) “Therapeutic administration” means the administration of a~~  
13 ~~drug or medicine that is necessary for the treatment of an illness~~  
14 ~~or injury diagnosed by a licensed veterinarian. The administration~~  
15 ~~of a prescription drug or medicine shall only be as given or~~  
16 ~~prescribed by the licensed veterinarian. The administration of a~~  
17 ~~nonprescription drug or medicine shall be in accordance with the~~  
18 ~~directions on the manufacturer’s label.~~

19 ~~(k) “Exempt medication” means an oral or topical medication~~  
20 ~~containing prohibited substances determined by the department to~~  
21 ~~be exempt from this chapter when administered therapeutically.~~

22 ~~(l) “Public equine event” means a horse show or competition~~  
23 ~~that permits a person to enter a horse for show or competition in~~  
24 ~~exchange for money, goods, or services.~~

25 ~~(m) “Public horse sale” is a sale that consigns a horse in~~  
26 ~~exchange for money, goods, or services, excluding sales consisting~~  
27 ~~solely of racing stock.~~

28 ~~(n) “Stimulant or depressant” means a medication that stimulates~~  
29 ~~or depresses the circulatory, respiratory, or central or peripheral~~  
30 ~~nervous system.~~

31 ~~(o) To “sore” means to apply an irritating or blistering agent~~  
32 ~~internally or externally for the purpose of affecting the~~  
33 ~~performance, soundness, or disposition of a horse.~~

34 ~~(p) “Trainer” means a person who has the responsibility for the~~  
35 ~~care, training, custody, or performance of a horse, including, but~~  
36 ~~not limited to, a person who signs any entry blank of a public~~  
37 ~~equine event or public horse sale, whether that person is an owner,~~  
38 ~~rider, agent, coach, adult, or minor.~~

39 *SEC. 3. Section 24001 of the Food and Agricultural Code is*  
40 *amended to read:*

1 24001. For the purposes of this chapter:  
 2 (a) “Event” means ~~any a public horse show, competition~~  
 3 ~~(including equine event or public horse sale that is held in the~~  
 4 ~~state, including a cutting horse competitions, competition, an~~  
 5 ~~endurance riding competitions, competition, a competitive trail~~  
 6 ~~competitions, gymkhanas, and competition, or any other~~  
 7 ~~competition as determined by the secretary department by~~  
 8 ~~regulation), or sale, in which money, goods, or services are~~  
 9 ~~exchanged for the right to compete for a single set of placings~~  
 10 ~~leading to points or awards at the show or competition, or to permit~~  
 11 ~~a horse to be consigned for sale. “Event” does not include any of~~  
 12 ~~the following: regulation.~~  
 13 (b) *An equine event that is subject to the provisions of this*  
 14 *chapter shall meet all of the following criteria:*  
 15 (1) *Money, goods, or services are exchanged for the right to*  
 16 *compete.*  
 17 (2) *Individuals compete for a single set of placings, points, or*  
 18 *awards at the equine event.*  
 19 (3) *For one-day events, the entry fee to enter a single class*  
 20 *exceeds four dollars and ninety-nine cents (\$4.99), and either no*  
 21 *other fees are charged or other fees charged exceed nineteen*  
 22 *dollars and ninety-nine cents (\$19.99). Fees charged may include*  
 23 *ground fees, stall fees, or any other fees composed of money, goods,*  
 24 *or services assessed to permit competitors to enter into the event.*  
 25 (c) *Sales that are subject to the provisions of this chapter are*  
 26 *public sales that permit a horse to be consigned for public sale.*  
 27 (d) *The following events are excluded from this chapter:*  
 28 (1) ~~Those competitions~~ *Competitions* subject to the jurisdiction  
 29 of the California Horse Racing Board.  
 30 (2) Sales consisting solely of racing stock.  
 31 (3) *Parade horse competitions.*  
 32 ~~(3)~~  
 33 (4) ~~A timed rodeo-related performance competition including~~  
 34 ~~both rough stock and timed performance competitions when held~~  
 35 ~~apart from a horse show, including, but not limited to, rodeo,~~  
 36 ~~roping club, cattle team penning, barrel racing, and gymkhana.~~  
 37 (4) ~~Roping club events when held apart from a horse show.~~  
 38 (5) ~~Cattle team pennings when held apart from a horse show.~~  
 39 (6) ~~Barrel racing when held apart from a horse show.~~  
 40 (7) ~~Parade horse competitions.~~

1 ~~(8) Public horse shows and public horse competitions that do~~  
2 ~~not last longer than one day and whose total cumulative fees to~~  
3 ~~enter into any one or all classes do not exceed four dollars and~~  
4 ~~ninety-nine cents (\$4.99), unless otherwise prescribed by the~~  
5 ~~secretary by regulation. “Grounds fees,” “stall fees,” or any other~~  
6 ~~fee composed of money, goods, or services, which is assessed to~~  
7 ~~permit competitors or consignors to enter into an event are~~  
8 ~~considered a part of this total cumulative fee.~~

9 ~~(b)~~

10 (e) “Event manager” means the person in charge of an event,  
11 including the entity or individual financially responsible for the  
12 event that is responsible for registering the event with the  
13 department, and who is responsible for the assessment, collection,  
14 and remittance of fees. “Event manager” includes horse show  
15 secretaries and managers, competitive event managers, and horse  
16 sale managers and sale owners.

17 ~~(e)~~

18 (f) “Horse” means ~~and includes~~ all horses, mules, and asses.

19 ~~(d)~~

20 (g) “Licensed veterinarian” means ~~any~~ a person licensed as a  
21 veterinarian by the State of California.

22 ~~(e)~~

23 (h) “Prohibited substance” ~~is any~~ means a stimulant, depressant,  
24 tranquilizer, anesthetic, including any local anesthetic, sedative  
25 analgesic, corticosteroid, anabolic steroid, or agent that would sore  
26 a horse, ~~which that~~ could affect the performance, soundness, or  
27 disposition of a horse, or any drug, regardless of how harmless or  
28 innocuous it might otherwise be, that could interfere with the  
29 detection of any prohibited substance. ~~It also includes~~ *substance,*  
30 *including* any metabolite or derivative of any prohibited substance.

31 ~~(f) “NSAIDs” are~~

32 (i) “NSAID” means a nonsteroidal anti-inflammatory ~~drugs~~  
33 *drug.*

34 ~~(g)~~

35 (j) “Therapeutic administration” means the administration of a  
36 drug or medicine that is necessary for the treatment of an illness  
37 or injury diagnosed by a licensed veterinarian. The administration  
38 of a prescription drug or medicine shall only be as given or  
39 prescribed by the licensed veterinarian. The administration of a

1 nonprescription drug or medicine shall be in accordance with the  
 2 directions on the manufacturer’s label.

3 ~~(h)~~

4 (k) “~~Exempt medications~~” *are medication*” means an oral or  
 5 topical ~~medications~~ *medication* containing prohibited substances  
 6 determined by the ~~secretary~~ *department* to be exempt from this  
 7 chapter when administered therapeutically.

8 ~~(i) “Public” horse shows, competitions, or sales are those events~~

9 (l) “*Public equine event*” means a horse show or competition  
 10 that ~~permit~~ *permits* a person to enter or ~~consign~~ a horse for sale  
 11 *show or competition* in exchange for money, goods, or services.  
 12 Any club or group that permits people to ~~join~~, *join or* enter into  
 13 ~~competition, or consign a horse for sale~~ *competition* in exchange  
 14 for money, goods, or services, is “public” for the purposes of this  
 15 chapter.

16 (m) “*Public horse sale*” is a sale that *consigns a horse in*  
 17 *exchange for money, goods, or services, excluding sales consisting*  
 18 *solely of racing stock.*

19 ~~(j)~~

20 (n) “Stimulant or depressant” means ~~any~~ *a medication that*  
 21 stimulates or depresses the circulatory, respiratory, or central or  
 22 peripheral nervous system.

23 ~~(k)~~

24 (o) To “sore” means to apply an irritating or blistering agent  
 25 internally or externally for the purpose of affecting the  
 26 performance, soundness, or disposition of a horse.

27 ~~(t)~~

28 (p) “Trainer” means ~~any~~ *a person who has the responsibility*  
 29 *for the care, training, custody, or performance of a horse, including,*  
 30 *but not limited to, any a person who signs any entry blank of any*  
 31 *a public horse show, competition, or equine event or public horse*  
 32 *sale, whether that person is an owner, rider, agent, coach, adult,*  
 33 *or minor.*

34 SEC. 4. Section 24004 of the Food and Agricultural Code is  
 35 amended to read:

36 24004. A horse shall not be shown in any class at an event if  
 37 it has been administered in any manner a prohibited substance in  
 38 violation of this chapter.

39 SEC. 5. Section 24005 of the Food and Agricultural Code is  
 40 amended to read:

1 24005. The trainer or owner, or both the trainer and owner, in  
2 the absence of substantial evidence to the contrary, is responsible  
3 for a horse's condition and is charged with knowledge of the  
4 provisions contained in this chapter and the rules and regulations  
5 adopted pursuant to this chapter. If a trainer is prevented from  
6 performing his or her duties, including responsibility for the  
7 condition of a horse in his or her care, by illness or other cause,  
8 or is absent from any event where a horse under his or her care is  
9 entered and stabled, the trainer shall immediately notify the  
10 secretary or manager of the event, and at the same time a substitute  
11 shall be appointed by the trainer. The substitute shall place his or  
12 her name on the entry blank at that time. The substitute shall have  
13 the same responsibilities as the substituted trainer would have had  
14 for the condition of any horse in his or her care.

15 SEC. 6. Section 24006 of the Food and Agricultural Code is  
16 amended to read:

17 24006. A trainer, owner, or both the trainer and owner, event  
18 manager, or any person who administers, attempts to administer,  
19 instructs, authorizes, aids, conspires with another to administer,  
20 or employs anyone who administers or attempts to administer a  
21 prohibited substance to a horse in violation of this chapter shall  
22 be subject to the penalties provided in this chapter that are  
23 applicable to the trainer or owner. The trainer and owner are both  
24 responsible for complying with this chapter after any course of  
25 medical therapy has been administered or prescribed by a licensed  
26 veterinarian employed by either the trainer or owner to examine  
27 and treat a horse. A licensed veterinarian who is employed by a  
28 trainer or owner to examine and treat a horse is not subject to the  
29 penalties provided in this chapter solely on account of that  
30 examination and treatment or prescription.

31 SEC. 7. Section 24008 of the Food and Agricultural Code is  
32 amended to read:

33 24008. A horse at an event is subject to examination under the  
34 direction of a licensed veterinarian of the department or agent  
35 ~~thereof.~~ *of the licensed veterinarian.* The appointed licensed  
36 veterinarian, with the approval of the department, may appoint  
37 technicians and agents to perform certain duties under this chapter  
38 that are not prohibited by other provisions of law. The examination  
39 may include physical, urine, or blood tests, or any other test or  
40 procedure at the discretion of the licensed veterinarian, that is

1 necessary to effectuate the purposes of this chapter. Any or all  
2 horses in or from a class or all classes in an event or any horse  
3 entered into or from any class or competition or sale, whether in  
4 competition or not, if the horse is on the show or sale grounds, or  
5 any horse withdrawn by any person or trainer within 24 hours  
6 before a class for which it has been entered as well as any horse  
7 withdrawn from any horse sale, may be examined.

8 SEC. 8. Section 24009 of the Food and Agricultural Code is  
9 amended to read:

10 24009. Whether a horse is in competition or not, refusal to  
11 submit a horse in an event for examination, or refusal to cooperate  
12 with the licensed veterinarian, or his or her technicians and agents,  
13 shall constitute a violation of, and subject the responsible person  
14 to, the same penalties that are applicable to prohibited substances  
15 or NSAIDs under Section 24007. A suitable sample shall be  
16 collected from a horse selected for testing by a drug testing agent  
17 of the department unless the agent releases the horse from testing.

18 SEC. 9. Section 24011 of the Food and Agricultural Code is  
19 amended to read:

20 24011. (a) A horse that has received a prohibited substance  
21 shall not be eligible for show, competition, or sale, unless the  
22 following requirements have been met and the facts requested are  
23 submitted to the department in writing:

24 (1) Medication shall be therapeutic and necessary for treatment  
25 of an illness or injury.

26 (2) A horse shall be withdrawn from a show or competition for  
27 a period of not less than 24 hours after a prohibited substance is  
28 administered, unless the department determines a different  
29 withdrawal period for a specific prohibited substance or class of  
30 substances. A horse shall be withdrawn from a public sale for a  
31 period of not less than 72 hours after a prohibited substance or  
32 NSAID is administered. The withdrawal period for anabolic  
33 steroids is 90 days after administration and the withdrawal period  
34 for fluphenazine or reserpine is 45 days after administration.

35 (3) The medication shall be administered by a licensed  
36 veterinarian, the trainer, or owner.

37 (4) Medication shall be identified as to the amount, strength,  
38 and mode of administration.

39 (5) The statement shall include the date and time of  
40 administration of the medication.

1 (6) The horse shall be identified by its name, age, sex, color,  
2 and entry number.

3 (7) The statement shall contain the diagnosis of the attending  
4 veterinarian and reason for administering the medication.

5 (8) The statement shall be signed by the person administering  
6 the medication.

7 (9) The statement shall be filed with the event manager of the  
8 public equine event or general manager of the public horse sale  
9 within one hour after administration or one hour after the event  
10 manager of the event returns to duty, if administration is at a time  
11 other than during show or sale hours.

12 (10) The statement shall be signed by the event manager or his  
13 or her designated representative and time of receipt recorded on  
14 the statement by the event manager or his or her designated  
15 representative.

16 (b) If the chemical analysis of the sample taken from a horse  
17 ~~so~~ treated indicates the presence of a prohibited substance and all  
18 the requirements of this section have been fully complied with,  
19 the information contained in the medication report and any other  
20 relevant evidence shall be considered at any hearing provided  
21 under this chapter in determining whether any provision of this  
22 chapter has been violated.

23 SEC. 10. Section 24011.5 of the Food and Agricultural Code  
24 is amended to read:

25 24011.5. (a) The therapeutic administration of NSAIDs is  
26 permitted before and during all events except public auctions,  
27 provided that the dosage or combined dosages do not exceed any  
28 limits established by regulation. However, at public equine events,  
29 the maximum number of detectable NSAIDs by laboratory analysis  
30 shall be limited to two, except that phenylbutazone and flunixin  
31 are not permitted in the same plasma or urine sample. Additionally,  
32 the maximum detectable plasma levels for the following NSAIDs  
33 are:

- 34 (1) 15.0 micrograms per milliliter of phenylbutazone.
- 35 (2) 1.0 micrograms per milliliter of flunixin.
- 36 (3) 0.250 micrograms per milliliter of ketoprofen.
- 37 (4) 2.5 micrograms per milliliter of meclufenamic acid.
- 38 (5) 40 micrograms per milliliter of naproxen.
- 39 (6) 0.1 micrograms per milliliter of eltenac, upon approval of  
40 eltenac by the FDA.

1 (b) This section is repealed on July 1, 2014.

2 SEC. 11. Section 24011.6 is added to the Food and Agricultural  
3 Code, to read:

4 24011.6. (a) The therapeutic administration of NSAIDs is  
5 permitted before and during all events except public auctions,  
6 provided that the dosage does not exceed any limits established  
7 by the department by regulation.

8 (b) On or before July 1, 2014, the department shall establish,  
9 by regulation, the approved therapeutic medications list and  
10 maximum detectable plasma levels.

11 SEC. 12. Section 24012 of the Food and Agricultural Code is  
12 amended to read:

13 24012. (a) (1) To provide funds for enforcement of this  
14 chapter, the event manager of every event shall charge and collect  
15 the applicable fee for each horse entered or exhibited in the event,  
16 and each horse consigned for public sale. The secretary may, by  
17 regulation, set the applicable fee, in consultation with the advisory  
18 committee appointed pursuant to Section 24013.5, at an amount  
19 necessary to carry out this chapter. An event manager shall be  
20 notified of the applicable fee at the time of registration of an event.  
21 The event manager of the registered event shall remit the fee  
22 established pursuant to this section, in addition to the completed  
23 assessment report for the registered event, as prescribed by the  
24 secretary, to the department within 15 days after completion of  
25 the event. The event manager shall maintain event records for a  
26 period of two years after the completion of the event. Upon request  
27 by the department, the event records shall be made available to  
28 the department for inspection and photocopying to enable  
29 verification of appropriate fee collection and remittance.

30 (2) Notwithstanding Section 24001, a show event held over  
31 multiple consecutive days, with a different judge on each day, that  
32 is registered and managed by the same event manager on the same  
33 premises, shall be considered one event for the purpose of the  
34 assessment of the fee.

35 (b) An event manager who does not pay to the department the  
36 full amount that is due pursuant to this section shall pay a civil  
37 penalty of 10 percent of the amount due plus interest at the rate of  
38 1½ percent per month of the unpaid balance computed from the  
39 date of the event. The event manager is personally liable for fees  
40 and penalties owed the department pursuant to this section.

1 (c) Fees and penalties collected pursuant to this section shall be  
2 deposited in the Department of Food and Agriculture Fund. All  
3 funds received by the department from fees and penalties pursuant  
4 to this section shall be used exclusively to carry out the intent and  
5 purpose of this chapter, including, but not limited to,  
6 pharmacological studies, drug testing, and drug research, inspection  
7 for drugs, prosecution of alleged offenders, administrative costs,  
8 attorney's and expert witness fees, and any other costs necessary  
9 to carry out this chapter.

10 SEC. 13. Section 24015 of the Food and Agricultural Code is  
11 amended to read:

12 24015. (a) Every event shall be registered with the department,  
13 unless otherwise prescribed by the secretary by regulation. The  
14 event manager of an event shall file a completed registration form  
15 with the department, as prescribed by the secretary, at least 60  
16 days before the beginning of the event, which shall constitute the  
17 registration of the event.

18 (b) An event manager who fails to register an event required to  
19 be registered pursuant to this chapter is subject to a civil penalty  
20 to be levied by the secretary in an amount not less than one hundred  
21 dollars (\$100) or more than two thousand five hundred dollars  
22 (\$2,500). In determining the amount of the penalty, the secretary  
23 shall consider any previous violations, and whether the event  
24 manager cooperated in good faith with the department.

25 (c) In addition to the civil penalty specified in subdivision (b),  
26 the secretary may, after notice and an opportunity for a hearing,  
27 suspend the event manager from hosting or managing a public  
28 equine event for a period of not less than 90 days or more than one  
29 year for each violation. It is unlawful for an event manager  
30 suspended from hosting or managing a public equine event by the  
31 secretary to conduct a public equine event during the period of  
32 suspension. An event manager suspended by the secretary from  
33 hosting or managing a public equine event, who hosts or manages  
34 a public equine event during the period of suspension, is subject  
35 to the civil penalty prescribed by subdivision (b) for each public  
36 equine event held during the period of suspension.

37 SEC. 14. No reimbursement is required by this act pursuant to  
38 Section 6 of Article XIII B of the California Constitution because  
39 the only costs that may be incurred by a local agency or school  
40 district will be incurred because this act creates a new crime or

1 infraction, eliminates a crime or infraction, or changes the penalty  
2 for a crime or infraction, within the meaning of Section 17556 of  
3 the Government Code, or changes the definition of a crime within  
4 the meaning of Section 6 of Article XIII B of the California  
5 Constitution.

O