

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

HOUSE BILL 1865

By: Representative Ladyman

For An Act To Be Entitled

AN ACT TO AMEND THE STATEWIDE FLUORIDATION PROGRAM;
TO PROVIDE LOCAL CONTROL OVER FLUORIDE LEVELS; AND
FOR OTHER PURPOSES.

Subtitle

TO AMEND THE STATEWIDE FLUORIDATION
PROGRAM; AND TO PROVIDE LOCAL CONTROL
OVER FLUORIDE LEVELS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 20-7-136 is amended to read as follows:

20-7-136. Statewide fluoridation program.

(a) As used in this section, "water system" means a facility including without limitation a parent system, consecutive system, or other system that holds, treats, and supplies water directly or through a consecutive system or consecutive systems to five thousand (5,000) persons or more.

(b) ~~The company, corporation, municipality, county, government agency, or other entity that owns or controls a water system shall control~~ A public water authority that serves fewer than twenty-two thousand (22,000) users shall determine whether a public water authority will adjust the quantity of fluoride in the water so as to maintain a fluoride content established by the Department of Health.

(c) The State Board of Health shall adopt rules relating to the fluoridation of water systems that shall include without limitation:

(1) Permissible concentrations of fluoride to be maintained by a water system; and



(2) Requirements and procedures for maintaining permissible concentrations of fluoride including without limitation:

- (A) Necessary equipment;
- (B) Recordkeeping;
- (C) Reporting; and
- (D) Testing.

(d)(1) A water system required to fluoridate under this section is not required to comply with the requirements of this section until funds sufficient to pay capital start-up costs for fluoridation equipment for the system have become available from any source other than tax revenue or service revenue regularly collected by ~~the company, corporation, municipality, county, or other government agency that owns or controls the water system~~ a public water authority.

(2) A licensed civil engineer recognized or employed by the department who is familiar with the design, construction, operation, and maintenance of fluoridation systems shall determine for the department whether the capital start-up costs claimed under subdivision (d)(1) of this section are reasonable.

(e) A water system for a city in this state that receives its water supply from a community in another state is not required to comply with this section until a substantially similar fluoridation program is enacted for the water system of the community in the other state.