

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

SENATE BILL 2

By: Senators C. Penzo, B. King
By: Representatives Duffield, Pilkington

For An Act To Be Entitled

AN ACT TO REPEAL THE STATEWIDE FLUORIDATION PROGRAM;
TO REMOVE THE MANDATE FOR WATER SYSTEMS TO MAINTAIN A
FLUORIDE CONTENT; AND FOR OTHER PURPOSES.

Subtitle

TO REPEAL THE STATEWIDE FLUORIDATION
PROGRAM; AND TO REMOVE THE MANDATE FOR
WATER SYSTEMS TO MAINTAIN A FLUORIDE
CONTENT.

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

SECTION 1. Arkansas Code § 20-7-136 is repealed.

~~20-7-136. Statewide fluoridation program — Definition.~~

~~(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 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.~~

~~(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.~~