

1 **APPROVAL REQUIREMENTS FOR WATER**

2 **FLUORIDE TREATMENTS**

3 1998 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Mary Carlson**

6 AN ACT RELATING TO THE ENVIRONMENTAL QUALITY CODE; AMENDING THE
7 PROCEDURE FOR CALLING AN ELECTION ON THE ISSUE OF ADDING FLUORINE
8 TO A PUBLIC WATER SUPPLY; AND MAKING TECHNICAL CHANGES.

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 AMENDS:

11 **19-4-111**, as renumbered and amended by Chapter 112, Laws of Utah 1991

12 *Be it enacted by the Legislature of the state of Utah:*

13 Section 1. Section **19-4-111** is amended to read:

14 **19-4-111. Fluorine added to water -- Election required.**

15 (1) Notwithstanding any other provision of law, public water supplies, whether state,
16 county, municipal, or district, shall not have fluorine or any of its derivatives or compounds or any
17 other medications added to them without the approval of a majority of voters in an election in the
18 area affected. An election shall ~~[not be held unless an initiative petition has been filed requesting~~
19 ~~the action in accordance with state law governing initiative petitions.]~~ be held upon the:

20 (a) filing of an initiative petition requesting the action in accordance with state law
21 governing initiative petitions;

22 (b) in the case of a municipal or county water system, passage of a resolution by the
23 legislative body representing the affected voters, submitting the question to the affected voters at
24 the next general or special election; or

25 (c) passage of a resolution by a county commission to place an opinion question on the
26 ballot at the next general or special election.

27 (2) If a majority of voters on an opinion question under Subsection (1)(c) approve the

1 addition of fluorine or any other medication to the public water supplies within the county, the
2 county health department shall require and regulate the addition of fluorine or other medication
3 to the public water supplies within that county.

4 (3) Nothing contained in this section prohibits the addition of chlorine or other water
5 purifying agents.

6 [(2)] (4) Any political subdivision which, prior to November 2, 1976, decided to and was
7 adding fluorine or any of its derivatives or compounds to the drinking water is [deemed]
8 considered to have complied with Subsection (1).

Legislative Review Note
as of 2-4-98 1:54 PM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel