

**FLUORINE ADDED TO WATER - EXPANSION
TO SECOND CLASS COUNTIES**

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: D. Edgar Allen

AN ACT RELATING TO ENVIRONMENTAL QUALITY; AUTHORIZING COMMISSIONERS OF SECOND CLASS COUNTIES TO PASS A RESOLUTION TO PLACE THE ISSUE OF ADDING FLUORINE TO DRINKING WATER ON A GENERAL ELECTION BALLOT; PROVIDING FOR EXEMPTIONS; AND MAKING TECHNICAL CHANGES.

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

AMENDS:

19-4-111, as last amended by Chapter 301, Laws of Utah 1998

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

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

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

(1) Notwithstanding any other provision of law, public water supplies, whether state, county, municipal, or district, shall not have fluorine or any of its derivatives or compounds added to them without the approval of a majority of voters in an election in the area affected. An election shall be held upon the:

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

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

(c) in a county of the first or second class, passage of a resolution by [~~a~~] the county commission to place an opinion question relating to all public water systems within the county, except as provided in Subsection (2), on the ballot at the next general election.

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

addition of fluorine to the public water supplies within the county, the local health departments shall require the addition of fluorine to ~~the~~ all public water supplies within that county other than those systems:

(a) that are functionally separate from any other public water systems in that county; and

(b) where a majority of the voters served by the public water system voted against the addition of fluorine on the opinion question under Subsection (1)(c).

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

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