

1 **FLUORIDE OPTION FOR SECOND CLASS**
2 **COUNTIES**

3 2000 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Robert F. Montgomery**

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

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

11 AMENDS:

12 **19-4-111**, as last amended by Chapter 301, Laws of Utah 1998

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

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

15 **19-4-111. Fluorine added to water -- Election required.**

16 (1) Notwithstanding any other provision of law, public water supplies, whether state,
17 county, municipal, or district, shall not have fluorine or any of its derivatives or compounds added
18 to them without the approval of a majority of voters in an election in the area affected. An election
19 shall 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, special district, or county water system, passage of a
23 resolution by the legislative body or special district board representing the affected voters,
24 submitting the question to the affected voters at the next general election; or

25 (c) in a county of the first or second class, passage of a resolution by [a] the county
26 commission to place an opinion question relating to all public water systems within the county on
27 the ballot at the next regular general election or municipal general election.

28 (2) If a majority of voters on an opinion question under Subsection (1)(c) approve the
29 addition of fluorine to the public water supplies within the county, the local health departments
30 shall require the addition of fluorine to the public water supplies within that county.

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

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

Legislative Review Note
as of 1-17-00 1:08 PM

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

Office of Legislative Research and General Counsel