

28 supplies under certain circumstances and give public notice of the removal;

29       ▶ allows a local health department to order a public water system to temporarily  
30 remove fluoride from public water supplies under certain circumstances and give  
31 public notice of the removal;

32       ▶ requires the Division of Drinking Water to review and maintain certain records; and  
33       ▶ makes technical changes.

34 **Money Appropriated in this Bill:**

35       None

36 **Other Special Clauses:**

37       ~~H~~→ [None] This bill takes effect on July 1, 2013. ←~~H~~

38 **Utah Code Sections Affected:**

39 AMENDS:

40       **19-4-111**, as last amended by Laws of Utah 2009, Chapter 371

41       **19-4-111.1**, as enacted by Laws of Utah 2002, Chapter 16

42       **19-4-111.2**, as last amended by Laws of Utah 2009, Chapter 371



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

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

46       **19-4-111. Fluoride added to or removed from water -- Election or shareholder**  
47 **vote required.**

48       (1) As used in this section:

49       (a) "Corporate public water system" means a public water system that is owned by a  
50 corporation engaged in distributing water only to its shareholders.

51       (b) "Corporation" is as defined in Section 16-4-102.

52       ~~[(c) "Fluorine" includes a derivative or compound of fluorine.]~~

53       (c) "Fluoride" means a chemical compound that contains the fluoride ion and is used to  
54 fluoridate drinking water, including:

55       (i) fluorosilicic acid;

56       (ii) sodium fluorosilicate; or

57       (iii) sodium fluoride.

58       (d) "Fluoride supplier" means a person who:

152 **19-4-111.1. Provision of fluoridated water -- Request of resident.**

153 A public water system in a county of the first or second class whose entire water  
 154 inventory is fluoridated may supply water to a residence or business in a municipality that is  
 155 located in two counties, one that has approved fluoridation and one that has not approved  
 156 fluoridation in accordance with [~~Subsection~~] Section 19-4-111[~~(1)~~] if:

- 157 (1) the owner requests that the public water system supply water to the residence or  
 158 business;
- 159 (2) no reasonable alternative water supply exists; and
- 160 (3) the owner's request can be fulfilled without affecting other residences or businesses  
 161 in the municipality or county that has not approved fluoridation.

162 Section 3. Section **19-4-111.2** is amended to read:

163 **19-4-111.2. Provision of fluoridated water -- Emergency circumstances.**

164 (1) A public water system that is simultaneously supplying water to a municipality or  
 165 county that approved fluoridation in accordance with Section 19-4-111 and a municipality or  
 166 county that has not approved fluoridation may provide water from its fluoridated inventory to a  
 167 municipality or county that has not approved fluoridation if:

168 (a) as a result of a short-term emergency, the only water available is from the public  
 169 water system's fluoridated inventory;

170 (b) the public water system ceases providing fluoridated water to the municipality or  
 171 county that has not approved fluoridation in accordance with [~~Subsection~~] Section  
 172 19-4-111[~~(2)~~] in a time consistent with repair times following best industrial practice; and

173 (c) where feasible, provide prompt notice to the affected area.

174 (2) (a) A resident of an affected area that does not wish to receive fluoridated water  
 175 during an emergency may contact the public water system to have delivery of fluoridated water  
 176 to their residence or business terminated.

177 (b) The resident shall determine when to resume delivery of water and shall contact the  
 178 public water system to have delivery of water resumed.

178a **H→ Section 4. Effective Date**

178b **This bill takes effect on July 1, 2013. ←H**