

**APPROVAL REQUIREMENTS FOR WATER  
FLUORIDE TREATMENTS**

1998 GENERAL SESSION

STATE OF UTAH

**Sponsor: Mary Carlson**

Katherine Bryson

Patrice Arent

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

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

AMENDS:

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

*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 [~~or any other medications~~] added to them without the approval of a majority of voters in an election in the area affected. An election shall [~~not be held unless an initiative petition has been filed requesting the action in accordance with state law governing initiative petitions.~~] 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 general election; or

(c) in a county of the first class, passage of a resolution by a county commission to place an opinion question relating to all public water systems within the county 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 public water supplies within that county.

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

[~~(2)~~] (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 [~~deemed~~] considered to have complied with Subsection (1).