

Representative Mary Carlson proposes to substitute the following bill:

1 **APPROVAL REQUIREMENTS FOR WATER**

2 **FLUORIDE TREATMENTS**

3 1998 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Mary Carlson**

6 Katherine Bryson

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

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

11 AMENDS:

12 **19-4-111**, as renumbered and amended by Chapter 112, Laws of Utah 1991

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

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

23 (b) in the case of a municipal, special district, or county water system, passage of a
24 resolution by the legislative body or special district board representing the affected voters,

1 submitting the question to the affected voters at the next general election; or

2 (c) in a county of the first class, passage of a resolution by a county commission to place
3 an opinion question relating to all public water systems within the county on the ballot at the next
4 general election.

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

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

10 [~~2~~] (4) Any political subdivision which, prior to November 2, 1976, decided to and was
11 adding fluorine or any of its derivatives or compounds to the drinking water is [deemed]
12 considered to have complied with Subsection (1).