

**FLUORIDATION OF PUBLIC WATER
SYSTEMS IN AN EMERGENCY**

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: A. Lamont Tyler

This act modifies the Safe Drinking Water Act to allow a public water system to supply fluoridated water to a county or municipality that has not approved fluoridation under emergency circumstances.

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

ENACTS:

19-4-111.2, Utah Code Annotated 1953

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

Section 1. Section **19-4-111.2** is enacted to read:

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

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

§ ~~(1)~~ (a) § as a result of a short-term emergency, the only water available is from the public water system's fluoridated inventory; ~~h~~ [-and] ~~h~~

§ ~~(2)~~ (b) § the public water system ceases providing fluoridated water to the municipality or county that has not approved fluoridation in accordance with Subsection 19-4-111(1) in a time consistent with repair times following best industrial practice ~~h~~ ; AND

§ ~~(3)~~ (c) § WHERE FEASIBLE PROVIDE PROMPT NOTICE TO THE AFFECTED AREA ~~h~~ .

§ (2)(a) A RESIDENT OF AN AFFECTED AREA THAT DOES NOT WISH TO RECEIVE FLUORIDATED WATER DURING AN EMERGENCY MAY CONTACT THE PUBLIC WATER SYSTEM TO HAVE DELIVERY OF FLUORIDATED WATER TO THEIR RESIDENCE OR BUSINESS TERMINATED.

(b) THE RESIDENT SHALL DETERMINE WHEN TO RESUME DELIVERY OF WATER AND SHALL CONTACT THE PUBLIC WATER SYSTEM TO HAVE DELIVERY OF WATER RESUMED. §



Legislative Review Note
as of 11-15-01 10:05 AM

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

Office of Legislative Research and General Counsel

Committee Note

The Natural Resources, Agriculture, and Environment Interim Committee recommended this bill.