

1st Sub. H.B. 181
FLUORINE COST REQUIREMENTS

Representative **Sheryl L. Allen** proposes the following amendments:

1. *Page 4, Lines 89 through 97:*

89 (b) (i) Whether the election to determine whether or not fluorine should be added to a
90 public water system was triggered by petition or by the governing body, the governing body
91 that has jurisdiction over the water system shall, no later than 45 calendar days before the date
92 of the election, **and in consultation with the countyhealth department,** adopt a preliminary total cost
93 estimate that estimates the ~~[[total]]~~ cost of adding
94 fluorine to the water system.

94 (ii) If the governing body **that has jurisdiction over the water system** fails to **provide its own**
95 **preliminary cost estimate or** adopt the preliminary total cost estimate **submitted by the petition**
96 **sponsors,** no later than

95 45 calendar days before the date of the election ~~[[.]]~~ :
96 **(A)** the preliminary total cost estimate submitted
97 by the petition sponsors is considered adopted and becomes the official preliminary total cost
97 estimate **; and**

97 **(B) the provisions of Subsection (5) do not apply** .

2. *Page 4, Lines 106 through 116:*

106 (5) (a) No later than 180 calendar days after the date of an election in which the voters
107 vote to add fluorine to a water system, the governing body **that approved placement of the question on the**
108 **ballot** shall **, in consultation with the county health department,** adopt a final total cost
109 estimate.

109 (b) **Except as provided in Subsections (3)(b)(ii) and (5)(c),** If the final total cost estimate exceeds
110 the preliminary total cost estimate by 25% or
111 more, the governing body may, in a public meeting **and after making publicly available all information**
112 **upon which its final total cost estimate is based** :

111 (i) direct that all efforts to add fluorine to the water be ceased immediately because of
112 the increased cost;

113 (ii) direct that the question of whether or not to add fluorine to the water be submitted
114 to the voters for a new vote because of the increased cost; or

115 (iii) inform the voters that they may file an initiative petition to cancel the decision to
116 add fluorine to the water system. =

116 **(c) (i) Whenever the final total cost estimate for a water system within a first or second class county**

exceeds by more than 25%the average final total cost estimate of all other water systems within that county,the governing body, in consultation with the county health department, shall determine whether or not the higher final total cost estimate exceeds the average because of a decision to overbuild, add cosmetic or aesthetic system components, or add redundancy beyond applicable federal or state standards.

(ii) If the governing body determines that the excess cost is due to any of the factors enumerated in Subsection (5)(c)(i), the governing body may not act as authorized by Subsection (5)(b).