

Stricken language would be deleted from and underlined language would be added to present law.
Act 197 of the Regular Session

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: S2/22/11

A Bill

SENATE BILL 359

5 *By: Senators D. Johnson, P. Malone, Crumbly, Bookout, Burnett, L. Chesterfield, J. Dismang, Elliott, S.*
6 *Flowers, G. Jeffress, J. Jeffress, M. Lamoureux, Luker, Salmon, R. Thompson, E. Williams, D. Wyatt,*
7 *Files*
8 *By: Representatives Tyler, Allen, Fielding, Gaskill, Hall, Hyde, Kerr, Leding, Love, Lovell, Murdock,*
9 *Perry, J. Roebuck, T. Steele, Stewart, Walker, Webb, B. Wilkins, Word, T. Baker, E. Elliott, T. Thompson,*
10 *H. Wilkins, Williams, Woods*

For An Act To Be Entitled

11
12 AN ACT TO PROVIDE FOR CERTAIN WATER SYSTEMS TO
13 MAINTAIN A LEVEL OF FLUORIDE TO PREVENT TOOTH DECAY;
14 AND FOR OTHER PURPOSES.
15
16

Subtitle

17
18 AN ACT TO PROVIDE FOR CERTAIN WATER
19 SYSTEMS TO MAINTAIN A LEVEL OF FLUORIDE
20 TO PREVENT TOOTH DECAY.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code Title 20, Chapter 7, Subchapter 1 is amended
27 to add an additional section to read as follows:

28 20-7-136. Statewide fluoridation program.

29 (a) As used in this section, "water system" means a facility including
30 without limitation a parent system, consecutive system, or other system that
31 holds, treats, and supplies water directly or through a consecutive system or
32 consecutive systems to five thousand (5,000) persons or more.

33 (b) The company, corporation, municipality, county, government agency,
34 or other entity that owns or controls a water system shall control the
35 quantity of fluoride in the water so as to maintain a fluoride content
36 established by the Department of Health.



1 (c) The State Board of Health shall adopt rules relating to the
2 fluoridation of water systems that shall include without limitation:

3 (1) Permissible concentrations of fluoride to be maintained by a
4 water system; and

5 (2) Requirements and procedures for maintaining permissible
6 concentrations of fluoride including without limitation:

7 (A) Necessary equipment;

8 (B) Recordkeeping;

9 (C) Reporting; and

10 (D) Testing.

11 (d)(1) A water system required to fluoridate under this section is not
12 required to comply with the requirements of this section until funds
13 sufficient to pay capital start-up costs for fluoridation equipment for the
14 system have become available from any source other than tax revenue
15 or service revenue regularly collected by the company,
16 corporation, municipality, county, or other government agency that owns or
17 controls the water system.

18 (2) A licensed civil engineer recognized or employed by the
19 department who is familiar with the design, construction, operation, and
20 maintenance of fluoridation systems shall determine for the department
21 whether the capital start-up costs claimed under subdivision (d)(1) of this
22 section are reasonable.

23 (e) A water system for a city in this state that receives its water
24 supply from a community in another state is not required to comply with this
25 section until a substantially similar fluoridation program is enacted for the
26 water system of the community in the other state.

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28 /s/D. Johnson

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31 APPROVED: 03/04/2011