

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 2627

4
5 By: Representative Roebuck
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For An Act To Be Entitled

9 AN ACT TO REQUIRE CERTAIN PUBLIC WATER SUPPLIES
10 TO MAINTAIN A LEVEL OF FLUORIDE TO PREVENT TOOTH
11 DECAY; AND FOR OTHER PURPOSES.
12

Subtitle

13 AN ACT TO REQUIRE CERTAIN PUBLIC WATER
14 SUPPLIES TO MAINTAIN A LEVEL OF FLUORIDE
15 TO PREVENT TOOTH DECAY.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Title 20, Chapter 7, Subchapter 1 is amended
22 to add an additional section to read as follows:

23 20-7-136. Statewide fluoridation program.

24 (a) The General Assembly find that promotion of the public health of
25 Arkansas residents of all ages by protection and maintenance of dental health
26 through the fluoridation of drinking water is a paramount issue of statewide
27 concern.

28 (b) It is the intent of the General Assembly to:

29 (1) Preempt local government regulations, ordinances, and
30 initiatives that prohibit or restrict the fluoridation of drinking water by
31 water systems serving five thousand (5,000) or more persons; and

32 (2) Decrease the burden that the Arkansas Medicaid and ARKids
33 First Programs place upon the state's limited funds.

34 (c) For the purpose of promoting public health through prevention of
35 tooth decay, whenever the fluoride content of water supplies serving five
36 thousand (5,000) or more persons, including consecutive supplies, provides



1 less than seven-tenths of a milligram per liter (0.7 mg/l) of fluoride, the
2 person, firm, corporation, or municipality having jurisdiction over a water
3 supply whether publicly or privately owned or operated shall control the
4 quantities of fluoride in the water so as to maintain a fluoride content
5 prescribed by the Department of Health.

6 (d) The department shall promulgate rules relating to the fluoridation
7 of water supplies that shall include, but not be limited to:

8 (1)(A) The minimum and maximum permissible concentrations of
9 fluoride to be maintained by a water supply.

10 (B) The minimum permissible concentration of fluoride
11 shall not be less than seven-tenths of a milligram per liter (0.7 mg/l).

12 (C) The maximum permissible concentration of fluoride
13 shall not be greater than 1.2 milligrams per liter (1.2 mg/l); and

14 (2) The requirements and procedures for maintaining proper
15 concentrations of fluoride, including any necessary equipment, testing,
16 recordkeeping, and reporting.

17 (e)(1) A water supply required to fluoridate under this section is not
18 required to comply with the requirements of this section until funds
19 sufficient to pay capital start-up costs for fluoridation equipment for the
20 system have become available from any source other than ratepayers,
21 shareholders, local taxpayers, or bondholders of the public water supply.

22 (2) A registered civil engineer recognized or employed by the
23 department who is familiar with the design, construction, operation, and
24 maintenance of fluoridation systems shall determine for the department
25 whether the capital start-up costs claimed under subdivision (e)(1) of this
26 section are reasonable.