

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

# A Bill

SENATE BILL 359

4  
5 By: Senators D. Johnson, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, S. Flowers, G.  
6 Jeffress, J. Jeffress, M. Lamoureux, Luker, P. Malone, Salmon, R. Thompson, E. Williams, D. Wyatt  
7 By: Representatives Allen, Fielding, Gaskill, Hall, Hyde, Kerr, Leding, Love, Lovell, Murdock, Perry, J.  
8 Roebuck, T. Steele, Stewart, Tyler, Walker, Webb, B. Wilkins, Word

## For An Act To Be Entitled

9  
10 AN ACT TO PROVIDE FOR CERTAIN WATER SYSTEMS TO  
11 MAINTAIN A LEVEL OF FLUORIDE TO PREVENT TOOTH DECAY;  
12 AND FOR OTHER PURPOSES.  
13  
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## Subtitle

15  
16 AN ACT TO REQUIRE CERTAIN WATER SYSTEMS  
17 TO MAINTAIN A LEVEL OF FLUORIDE TO  
18 PREVENT TOOTH DECAY.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code Title 20, Chapter 7, Subchapter 1 is amended  
25 to add an additional section to read as follows:

26 20-7-136. Statewide fluoridation program.

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

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

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



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

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

5                   (A) Necessary equipment;

6                   (B) Recordkeeping;

7                   (C) Reporting; and

8                   (D) Testing.

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

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

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

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