1	State of Arkansas	As Engrossed: \$2/22/11	
2	88th General Assembly	A Bill	
3	Regular Session, 2011	SENATE BILL 359	
4			
5	By: Senators D. Johnson, P. Ma	lone, 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		
11			
12	For An Act To Be Entitled		
13	AN ACT TO PR	COVIDE FOR CERTAIN WATER SYSTEMS TO	
14	MAINTAIN A L	EVEL OF FLUORIDE TO PREVENT TOOTH DECAY;	
15	AND FOR OTHER PURPOSES.		
16			
17			
18		Subtitle	
19	AN ACT	TO REQUIRE CERTAIN WATER SYSTEMS	
20	TO MAIN	NTAIN A LEVEL OF FLUORIDE TO	
21	PREVENT	T TOOTH DECAY.	
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24	BE IT ENACTED BY THE GEN	IERAL ASSEMBLY OF THE STATE OF ARKANSAS:	
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26	SECTION 1. Arkans	eas Code Title 20, Chapter 7, Subchapter 1 is amended	
27	to add an additional sec	tion to read as follows:	
28	<u>20-7-136. Statewi</u>	de fluoridation program.	
29	(a) As used in th	is 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.		

02-18-2011 13:17:47 MGF022

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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