1	State of Arkansas	As Engrossed: S4/7/25 A Bill	
2	95th General Assembly	A Dill	CENATE DILL 460
3	Regular Session, 2025		SENATE BILL 468
4 5	By: Senators C. Penzo, B. King	x	
6	By: Representatives Duffield, F	-	
7	Dy. Representatives Duffield, I	inkington	
, 8		For An Act To Be Entitled	
9	AN ACT TO AMEND THE LAW CONCERNING FLUORIDATION OF A		
10		R SYSTEM; TO ALLOWS VOTERS TO ELE	
11		" WATER FLUORIDATION IN THE COUNT	
12	FOR OTHER P	PURPOSES.	
13			
14			
15		Subtitle	
16	TO AME	END THE LAW CONCERNING FLUORIDATION	NC
17	OF A H	PUBLIC WATER SYSTEM; AND TO ALLOWS	S
18	VOTERS	S TO ELECT "FOR" OR "AGAINST" WATH	ER
19	FLUORI	IDATION IN THE COUNTY.	
20			
21	BE IT ENACTED BY THE GE	NERAL ASSEMBLY OF THE STATE OF AR	RKANSAS:
22			
23	SECTION 1. Arkan	isas Code Title 14, Chapter 116, S	Subchapter l, is
24		cional section to read as follows:	
25	<u>14-116-108. Elect</u>	tion for fluoridation of water — D	Definition.
26		counties supplied by a public wa	
27	-	election of the qualified electors	-
28		water system to determine whether	<u>or not the public</u>
29	water system shall fluo		
30		on under this section may be call	
31		A petition for each county suppli	· · ·
32		no less than five percent (5%) of	
33 34		county for the office of <i>circuit c</i>	<u>zierk in the last</u>
34 35	election; or	A majority vote of the quorum cou	irt of each county
36	<u>supplied by the public</u>		ire or each county



1	$(2)(\Lambda)$ Except on provided under subdivision $(h)(2)(R)$ of this	
2	(2)(A) Except as provided under subdivision (b)(2)(B) of this section, an election under this section shall be held at the next general	
2	election.	
4	(B) A subsequent election in the public water system under	
5	this section shall not be held earlier than four (4) years after an election	
6	is held under this section.	
7	(3) Except as provided in this section, the election under this	
, 8	section shall be held and conducted in accordance with the general election	
9	laws of this state.	
10	(4) The question of whether to fluoridate the water in the	
11	public water system shall be placed upon the ballots of the qualified	
12	electors in the following form:	
13	" FOR THE FLUORIDATION OF WATER IN [NAME OF COUNTY]	
14	AGAINST THE FLUORIDATION OF WATER IN [NAME OF	
15	COUNTY].".	
16	(c)(1) The petition under this section shall be filed with the county	
17	clerk of the county where the sponsor of the petition resides no less than	
18	one hundred twenty (120) days before the general election.	
19	(2) No more than ten (10) days after the filing of the petition	
20	under subdivision (c)(l) of this section, the county clerk shall:	
21	(A) Verify the petition;	
22	(B) Certify the petition; and	
23	(C) Notify the county boards of election commissioners for	
24	the counties within the public water system and the board of directors of the	
25	public water system of the verification and certification of the petition.	
26	(3) The petition shall clearly state:	
27	(A) Which county is served by the public water system; and	
28	(B) That the petition is to elect "for" or "against"	
29	fluoridation of the water in the public water system.	
30	(d) If the petition is sufficient, the question of whether to	
31	fluoridate the water in the county shall be placed on the ballot of the	
32	county indicated on the petition.	
33	(e) If the majority of the qualified electors in each of the counties	
34	supplied by the public water system elect to prohibit fluoridation of water,	
35	the public water system shall cease fluoridation of the water within thirty	
36	(30) days of the certification of the election results.	

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1	(f) As used in this section, "public water system" means a facility,
2	including without limitation a parent system, consecutive system, or other
3	system, that holds, treats, and supplies water directly or through a
4	consecutive system or consecutive systems to five thousand (5,000) persons or
5	more.
6	
7	SECTION 2. Arkansas Code § 20-7-136(b), concerning a statewide
8	fluoridation program, is amended to read as follows:
9	(b)(1) The Except as provided in subdivision (b)(2) of this section,
10	the company, corporation, municipality, county, government agency, or other
11	entity that owns or controls a water system shall control the quantity of
12	fluoride in the water so as to maintain a fluoride content established by the
13	Department of Health.
14	(2)(A) Except as provided in subdivision (b)(2)(B) of this
15	section, the board of a public water system may elect to prohibit
16	fluoridation of the water it supplies.
17	(B) The results of an election under § 14-16-108 shall
18	supersede any decision of the board of a public water system regarding the
19	fluoridation of the water it supplies.
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21	/s/C. Penzo
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