

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

382U0683

SENATE BILL NO. 201

Introduced by: Senators Jensen, Begalka, Lederman, and Monroe and Representatives Craig, Campbell, Miller, Nelson, Russell, Schaefer, and Steele

1 FOR AN ACT ENTITLED, An Act to remove the requirement that fluoride be added to
2 municipal water supplies.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 34-24A-1 be repealed.

5 ~~— 34-24A-1. Any person, firm, limited liability company, corporation, or municipality having~~
6 ~~jurisdiction over a municipal water supply, whether publicly or privately owned or operated,~~
7 ~~shall control the quantities of fluoride in the water so as to maintain a minimum fluoride content~~
8 ~~prescribed by the South Dakota Department of Environment and Natural Resources.~~

9 Section 2. That § 34-24A-1.1 be repealed.

10 ~~— 34-24A-1.1. The Department of Environment and Natural Resources shall perform all the~~
11 ~~functions of the Public Health Advisory Committee, the state health officer, and the Department~~
12 ~~of Health with respect to water hygiene programs authorized under, but not limited to, this~~
13 ~~chapter, except that the Board of Minerals and Environment shall perform any advisory~~
14 ~~functions as defined in § 1-32-1.~~

15 Section 3. That § 34-24A-2 be repealed.



1 ~~34-24A-2. The Department of Environment and Natural Resources shall, in compliance with~~
2 ~~chapter 1-26, promulgate rules relating to the fluoridation of public water supplies which shall~~
3 ~~include, but not be limited to the following:~~

4 ~~(1) The means by which fluoride is controlled;~~

5 ~~(2) The methods of testing the fluoride content; and~~

6 ~~(3) The records to be kept relating to fluoridation.~~

7 Section 4. That § 34-24A-3 be repealed.

8 ~~34-24A-3. The Department of Environment and Natural Resources shall enforce the~~
9 ~~provisions of §§ 34-24A-1 and 34-24A-2. In so doing it shall require the fluoridation of water~~
10 ~~in all municipal water supplies serving a population of five hundred or more. The department~~
11 ~~may not require the fluoridation of water in any municipal water supply where such water~~
12 ~~supply in the state of nature contains sufficient fluorides to conform with the rules of the~~
13 ~~department.~~