

Senate Bill 408

By: Senator Brass of the 28th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 5 of Article 3 of Chapter 5 of Title 12 of the Official Code of Georgia
2 Annotated, relating to public water systems, so as to remove the Board of Natural Resources'
3 authority to require the regulation of fluoridation of potable public water supplies in certain
4 incorporated communities; to provide for related matters; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 5 of Article 3 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated,
9 relating to public water systems, is amended by revising Code Section 12-5-175, relating to
10 fluoridation of public water systems, state funds for cost of fluoridation equipment,
11 chemicals, and materials, and tax deduction for fluoride-removing devices, as follows:

12 "12-5-175.

13 (a) The Board of Natural Resources shall not have the power to require, by regulation,
14 fluoridation of potable public water supplies in incorporated communities lying wholly
15 within this state., ~~provided that in no case should such fluoridation be required at a level~~
16 ~~greater than one part per million parts of water; provided, further, that any municipality or~~
17 ~~county and its water system can remove themselves from the terms of this part by~~

18 ~~referendum called by petition of 10 percent of the registered voters in such political~~
19 ~~subdivision who voted in the last general election. This applies to a referendum for or~~
20 ~~against fluoridation.~~

21 ~~(b) No incorporated municipality, county, or public or private water authority shall be~~
22 ~~required to comply with subsection (a) of this Code section unless the state has made~~
23 ~~available funds for the cost of the fluoridation equipment, the installation of such~~
24 ~~equipment, and the materials and chemicals required for six months of fluoridation of such~~
25 ~~potable public water supplies.~~

26 ~~(c) Any person who is deemed allergic to fluoridated water and who finds it necessary,~~
27 ~~upon the advice of a physician or upon approval by the Department of Public Health, to~~
28 ~~purchase a device to remove the fluoride from the water may treat the cost of the device~~
29 ~~as a tax-deductible medical expense."~~

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SECTION 2.

31 All laws and parts of laws in conflict with this Act are repealed.