

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 278**  
100TH GENERAL ASSEMBLY

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Reported from the Committee on Commerce, Consumer Protection, Energy and the Environment, March 14, 2019, with recommendation that the Senate Committee Substitute do pass.

1419S.05C

ADRIANE D. CROUSE, Secretary.

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**AN ACT**

To repeal section 640.136, RSMo, and to enact in lieu thereof one new section relating to public water fluoridation.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 640.136, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 640.136, to read as follows:

640.136. 1. **Any public water system, as defined in section 640.102,  
2 or public water supply district, as described in chapter 247, that adds  
3 or intends to add fluoridation to its water supply and intends to  
4 increase or decrease fluoridation of its water supply to an amount  
5 exceeding fifty percent of the current U.S. Public Health Service's  
6 recommended level of fluoridation on a continuing basis shall seek and  
7 receive information about the impact of public water fluoridation from  
8 the local health department.**

9       **2. Any public water system or public water supply district that  
10 receives information pursuant to subsection 1 of this section shall  
11 notify the department of natural resources and the department of  
12 health and senior services in order to certify that the public water  
13 system or public water supply district has sought and received  
14 information about the impact of public water fluoridation from the  
15 local health department prior to submitting notification of the public  
16 water system's or public water supply district's intention to modify  
17 public water fluoridation.** Any public water system, as defined in section  
18 640.102, or public water supply district, as defined in chapter 247, which intends

**EXPLANATION**—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 to make modifications to fluoridation of its water supply **to an amount**  
20 **exceeding fifty percent of the current U.S. Public Health Service's**  
21 **recommended level of fluoridation on a continuing basis** shall notify the  
22 department of natural resources, the department of health and senior services,  
23 and its customers of its intentions at least ninety days prior to any vote on the  
24 matter. The public water system or public water supply district shall notify its  
25 customers via radio, television, newspaper, regular mail, electronic means, or any  
26 combination of notification methods to most effectively notify customers at least  
27 ninety days prior to any meeting at which the vote will occur. Any public water  
28 system or public water supply district that violates the notification requirements  
29 of this section shall return the fluoridation of its water supply to its previous  
30 level until proper notification is provided under the provisions of this section.

31 [2.] **3.** In the case of an investor-owned water system, the entity calling  
32 for the discussion of modifications to fluoridation shall be responsible for the  
33 provisions of this section **and all costs associated with compliance.**

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Bill

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