

SB 312 by Senator Mount and forty-six co-authors was signed by Governor Jindal on July 6, 2008 and became Act No. 761 of the 2008 Regular Session.

The Act does the following:

- (1) Authorizes the Office of Public Health, through DHH, to promulgate rules in accordance with the Administrative Procedure Act relating to the fluoridation of public water systems. This includes, but is not limited to, establishing the optimal range of fluoride levels that public water systems in Louisiana should maintain for the purpose of protecting the oral health of citizens of Louisiana.
- (2) Requires each public water system with at least 5,000 service connections that has levels of fluoride that are outside the optimal range established by DHH to acquire, install, operate and maintain equipment and material to maintain the level of fluoride in the optimal range.
- (3) Provides that no public water system will be forced to comply with the above provision unless sufficient funds have been identified by the state, whether by appropriation, capital outlay, grants or similar means, as available to that system for the cost of acquiring and installing fluoridation equipment and the cost of material needed to fluoridate said system for at least six months from the date of initial installation.
- (4) Requires each public water system with at least 5,000 service connections to provide to DHH by March 1, 2009, an estimate of the cost to acquire and install fluoridation treatment equipment capable of maintaining the fluoride level in the optimal range.
- (5) Authorizes a public water system that has never used fluoridation to adjust fluoride levels in the water to be exempt from all the above if;
 - a) a petition requesting the exemption has been signed by at least 15% of the registered voters who reside in the precincts served by the water system, and
 - b) a local election, limited to those voters who reside in precincts served by the water system, has been called on the exemption after the petition has been received, and
 - c) a majority of the votes cast in that election favor the exemption.