

H.675

Introduced by Representatives Burt of Cabot, Dobrovich of Williamstown,
and North of Ferrisburgh

Referred to Committee on

Date:

Subject: Conservation and development; public water supply; fluoridation;
prohibition

Statement of purpose of bill as introduced: This bill proposes to prohibit a
person from adding fluoride to drinking water provided by a public water
system. The bill also would prohibit a municipality from enacting an
ordinance or other provision that requires or permits fluoride to be introduced
into a public water system that the municipality or a subdivision of the
municipality administers, maintains, or operates. In addition, the bill would
prohibit a school from providing fluoride to a student as a supplement or
medicine.

An act relating to prohibiting the fluoridation of public water supplies

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 10 V.S.A. § 1671 is amended to read:

§ 1671. DEFINITIONS

As used in this chapter:

1 (1) “Drinking water” means noncarbonated water that is intended for
2 human consumption or other consumer uses whether provided by a public
3 water system or in a container, bottle, or package, or in bulk, including water
4 used for production of ice, foodstuffs, or other products designed for human
5 consumption.

6 (2) “Department” means the Department of Environmental
7 Conservation.

8 (3) “Person” means any individual, partnership, company, corporation,
9 cooperative, association, unincorporated association, joint venture, trust, the
10 State of Vermont or any department, agency, subdivision, or municipality, the
11 U.S. government or any department, agency, or subdivision, or any other legal
12 or commercial entity.

13 (4) “Public water source” means any surface water or groundwater
14 supply used as a source of drinking water for a public water system.

15 (5)(A) “Public water system” means any system, or combination of
16 systems owned or controlled by a person, that provides drinking water through
17 pipes or other constructed conveyances to the public and that:

18 (i) has at least 15 service connections; or

19 (ii) serves an average of at least 25 individuals for at least 60 days
20 a year.

1 (B) Public water system ~~shall~~ also ~~mean~~ means any part of a piped
2 system that does not provide drinking water, if use of such a part could affect
3 the quality or quantity of the drinking water supplied by the system. Public
4 water system ~~shall~~ also ~~mean~~ means a system that bottles drinking water for
5 public distribution and sale.

6 * * *

7 (14) “Fluoride” means a chemical compound that contains the fluoride
8 ion and is used to fluoridate drinking water, including:

9 (A) fluorosilicic acid;

10 (B) sodium fluorosilicate; or

11 (C) sodium fluoride.

12 Sec. 2. 10 V.S.A. § 1673 is amended to read:

13 § 1673. PROHIBITIONS

14 (a) A person shall not alter, expand, or otherwise modify an existing public
15 water system or public water source without a permit from the Secretary.

16 (b) A person shall not construct a new public water system or public water
17 source or change an existing water system or source into a public water system
18 or public water source without a permit from the Secretary.

19 (c) A person shall not operate a public water system or public water source
20 without a permit from the Secretary.

1 (d) As of July 1, 1993, a person shall not operate a public water system
2 unless the Secretary has certified the person as a public water system operator
3 pursuant to this chapter.

4 (e) A person shall not operate or maintain a public water system or public
5 water source in a manner that causes or allows that system or source to be at
6 risk of damage or contamination.

7 * * *

8 (g)(1) A person shall not add fluoride to drinking water provided by a
9 public water system.

10 (2) Notwithstanding authority to the contrary, a municipality shall not
11 enact an ordinance or other provision that requires or permits fluoride to be
12 introduced into a public water system that the municipality or a subdivision of
13 the municipality administers, maintains, or operates.

14 Sec. 3. 16 V.S.A. § 1390 is added to read:

15 § 1390. FLUORIDE SUPPLEMENTATION; PROHIBITION

16 (a) As used in this section:

17 (1) "Fluoride" means a chemical compound that contains the fluoride
18 ion and is used to fluoridate drinking water, including:

19 (A) fluorosilicic acid;

20 (B) sodium fluorosilicate; or

21 (C) sodium fluoride.

1 (2) “School” means a public or approved independent school and
2 extends to school-sponsored activities and school-related programs.

3 (3) “School nurse” means a school nurse or associate school nurse
4 endorsed by the Agency of Education pursuant to the Licensing of Educators
5 and the Preparation of Educational Professionals rule (CVR 22-000-010) or
6 registered nurses licensed through the Office of Professional Regulation and
7 contracted to perform the duties of a school nurse.

8 (b)(1) A school shall not provide fluoride to a student as a supplement,
9 including as a tablet, liquid, or rinse.

10 (2) A school nurse or any other person employed by or volunteering for
11 the school shall not provide fluoride to a student as a medicine.

12 Sec. 4. EFFECTIVE DATE

13 This act shall take effect on passage.