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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 272

01/22/2015 Authored by Kresha, Howe, Newberger and Theis

The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to health; allowing cities to opt out of fluoridation of its water supply;
1.3 amending Minnesota Statutes 2014, section 144.145.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2014, section 144.145, is amended to read:

1.6 **144.145 FLUORIDATION OF MUNICIPAL WATER SUPPLIES.**

1.7 ~~For the purpose of promoting public health through prevention of tooth decay,~~

1.8 (a) The person, firm, corporation, or municipality having jurisdiction over a municipal
1.9 water supply, whether publicly or privately owned or operated, shall control the quantities
1.10 of fluoride in the water so as to maintain a fluoride content prescribed by the state
1.11 commissioner of health. In the manner provided by law, the state commissioner of health
1.12 shall ~~promulgate~~ adopt rules relating to the fluoridation of public water supplies which
1.13 shall include, but not be limited to the following: (1) the means by which fluoride is
1.14 controlled; (2) the methods of testing the fluoride content; and (3) the records to be kept
1.15 relating to fluoridation. The state commissioner of health shall enforce the provisions of
1.16 this section. ~~In so doing the commissioner shall require the fluoridation of water in all~~
1.17 ~~municipal water supplies on or before January 1, 1970.~~

1.18 (b) The state commissioner of health shall not require the fluoridation of water in
1.19 any municipal or community water supply ~~where~~ if: (1) such water supply in the state of
1.20 nature contains sufficient fluorides to conform with the rules of such commissioner; or (2)
1.21 a home rule charter or statutory city has elected not to have its water supply fluoridated.
1.22 A city electing to not fluoridate its water must notify the commissioner of health, who
1.23 shall direct the person, firm, corporation, or municipality having jurisdiction over the
1.24 city's municipal water supply to not fluoridate the water.