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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 2855** Session of  
1996

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INTRODUCED BY PETRARCA, YOUNGBLOOD, HALUSKA, THOMAS, JAROLIN,  
VAN HORNE, SHANER, ITKIN, MERRY, WALKO, JOSEPHS, HENNESSEY,  
OLASZ, TIGUE AND STEELMAN, JULY 17, 1996

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REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JULY 17, 1996

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AN ACT

1 Concerning the fluoridation of public water.

2 The General Assembly of the Commonwealth of Pennsylvania  
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Fluoridation  
6 Act.

7 Section 2. Purpose.

8 It is the purpose of this act to prevent dental disease as a  
9 health care cost-containment measure.

10 Section 3. Fluoride content of water.

11 Whenever the fluoride content of water served by public water  
12 suppliers to 3,000 domestic water connections or more is less  
13 than eight-tenths of a milligram per liter of fluoride, the  
14 person, association, firm, corporation, authority or  
15 municipality having jurisdiction over the supply shall add a  
16 measured amount of fluoride to the water so as to maintain a  
17 fluoride content of between eight-tenths of a milligram per

1 liter and one and two-tenths milligrams per liter, in accord  
2 with regulations adopted by the Department of Environmental  
3 Protection in consultation with the Department of Health, and  
4 recommended levels as established by the United States Public  
5 Health Service and the Environmental Protection Agency, such  
6 adjustment of fluoride to start within one year after the  
7 effective date of this act.

8 Section 4. Referendum to maintain unfluoridated water system.

9 Any person, association, firm, corporation, authority or  
10 municipality having jurisdiction over the supply of water may  
11 remove itself from the terms of this act by referendum called by  
12 petition of 10% of the registered voters who voted in the last  
13 general election in that political subdivision. This section  
14 applies to a referendum against fluoridation.

15 Section 5. Medical exceptions.

16 Any person who is deemed allergic to fluoridated water and  
17 who finds it necessary upon the advice of a physician to  
18 purchase a device to remove the fluoride from the water may  
19 treat the cost of the device as a tax-deductible medical  
20 expense.

21 Section 6. Enforcement.

22 The Department of Environmental Protection shall enforce this  
23 act.

24 Section 7. Effective date.

25 This act shall take effect in 120 days.