

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

As Engrossed: S4/7/25

A Bill

SENATE BILL 468

5 By: Senators C. Penzo, B. King
6 By: Representatives Duffield, Pilkington
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING FLUORIDATION OF A
10 PUBLIC WATER SYSTEM; TO ALLOWS VOTERS TO ELECT "FOR"
11 OR "AGAINST" WATER FLUORIDATION IN THE COUNTY; AND
12 FOR OTHER PURPOSES.
13
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Subtitle

16 TO AMEND THE LAW CONCERNING FLUORIDATION
17 OF A PUBLIC WATER SYSTEM; AND TO ALLOWS
18 VOTERS TO ELECT "FOR" OR "AGAINST" WATER
19 FLUORIDATION IN THE COUNTY.
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code Title 14, Chapter 116, Subchapter 1, is
24 amended to add an additional section to read as follows:

25 14-116-108. Election for fluoridation of water – Definition.

26 (a) Residents of counties supplied by a public water system shall have
27 the option to hold an election of the qualified electors of each county
28 supplied by the public water system to determine whether or not the public
29 water system shall fluoridate the water.

30 (b)(1) An election under this section may be called by:

31 (A) A petition for each county supplied by the public
32 water system signed by no less than five percent (5%) of the total number of
33 votes cast within the county for the office of circuit clerk in the last
34 election; or

35 (B) A majority vote of the quorum court of each county
36 supplied by the public water system.



1 (2)(A) Except as provided under subdivision (b)(2)(B) of this
2 section, an election under this section shall be held at the next general
3 election.

4 (B) A subsequent election in the public water system under
5 this section shall not be held earlier than four (4) years after an election
6 is held under this section.

7 (3) Except as provided in this section, the election under this
8 section shall be held and conducted in accordance with the general election
9 laws of this state.

10 (4) The question of whether to fluoridate the water in the
11 public water system shall be placed upon the ballots of the qualified
12 electors in the following form:

13 "_____ FOR THE FLUORIDATION OF WATER IN [NAME OF COUNTY]
14 _____ AGAINST THE FLUORIDATION OF WATER IN [NAME OF
15 COUNTY]."

16 (c)(1) The petition under this section shall be filed with the county
17 clerk of the county where the sponsor of the petition resides no less than
18 one hundred twenty (120) days before the general election.

19 (2) No more than ten (10) days after the filing of the petition
20 under subdivision (c)(1) of this section, the county clerk shall:

21 (A) Verify the petition;

22 (B) Certify the petition; and

23 (C) Notify the county boards of election commissioners for
24 the counties within the public water system and the board of directors of the
25 public water system of the verification and certification of the petition.

26 (3) The petition shall clearly state:

27 (A) Which county is served by the public water system; and

28 (B) That the petition is to elect "for" or "against"
29 fluoridation of the water in the public water system.

30 (d) If the petition is sufficient, the question of whether to
31 fluoridate the water in the county shall be placed on the ballot of the
32 county indicated on the petition.

33 (e) If the majority of the qualified electors in each of the counties
34 supplied by the public water system elect to prohibit fluoridation of water,
35 the public water system shall cease fluoridation of the water within thirty
36 (30) days of the certification of the election results.

