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**SENATE FLOOR AMENDMENTS**

2026 Regular Session

Amendments proposed by Senator Fesi to Engrossed Senate Bill No. 4 by Senator Fesi

1 AMENDMENT NO. 1

2 On page 1, line 2, after "systems;" delete the remainder of the line, delete lines 3 through 5,  
3 and insert "to allow local governments to vote to exempt public water systems from  
4 fluoridation requirements;"

5 AMENDMENT NO. 2

6 On page 1, line 6, delete "to provide for exceptions;"

7 AMENDMENT NO. 3

8 On page 1, delete lines 10 through 17, delete pages 2 through 4, and insert the following:

9 "§5.11. Water fluoridation program

10 A. The secretary of the Louisiana Department of Health shall establish in the office  
11 of public health a fluoridation program for the purpose of protecting the dental health of the  
12 citizens of this state, and especially children, through the prevention of tooth decay.

13 B.(1) Each public water system that has at least five thousand service connections  
14 and natural levels of fluoride that are outside the optimal range established in the rules and  
15 regulations adopted pursuant to this Section shall acquire, install, operate and maintain  
16 appropriate equipment and material in order to maintain the level of fluoride in its water  
17 system in the optimal range for the purpose of protecting the dental health of citizens of this  
18 state, as established in the rules and regulations adopted pursuant to this Section.

19 (2) Each public water system with at least five thousand service connections that has  
20 fluoride levels outside the optimal range established in the rules and regulations adopted  
21 pursuant to this Section shall provide to the Louisiana Department of Health no later than  
22 March 1, 2009, an estimate of the total capital costs to acquire and install fluoridation  
23 treatment equipment capable of maintaining fluoride levels within the optimal range for the  
24 purpose of protecting the dental health of citizens of this state, as established in the rules and  
25 regulations adopted pursuant to this Section.

26 (3) No public water system shall be required to comply with Paragraph (1) of this  
27 Subsection unless sufficient funds have been identified by the state, whether by  
28 appropriation, capital outlay, grants or similar means or source of funds, as available to that  
29 system for the cost of acquiring and installing fluoridation equipment and the cost of  
30 material required to fluoridate said system for at least six months from the date of initial  
31 installation.

32 (4) A public water system ~~that has never used fluoridation to adjust fluoride levels~~  
33 ~~in its water and whose water contains fluoride in amounts outside the range established in~~  
34 ~~the rules and regulations adopted pursuant to this Section as optimal for the purpose of~~  
35 ~~protecting the dental health of the citizenry~~ shall be exempt from compliance with Paragraph  
36 (1) of this Subsection provided all of the following apply:

37 (a) ~~A petition requesting the exemption has been signed by at least fifteen percent~~  
38 ~~of the registered voters who reside in the precincts served by said water system, as certified~~  
39 ~~by the parish registrar of voters, and has been presented to the governing authority of each~~  
40 ~~municipality or parish in whose jurisdiction the system provides service.~~

41 (b)(a) A local election has been called on the exemption ~~after the petition has been~~  
42 ~~received by each governing authority pursuant to Subparagraph (a) of this Paragraph.~~  
43 ~~Participation in the election shall be limited to those precincts in which the water system~~  
44 ~~provides service.~~ The local election shall be called and conducted by the governing authority  
45 of each municipality in whose jurisdiction the water system provides service if all of the  
46 registered voters served by the water system reside wholly within the jurisdiction of one or  
47 more municipalities. However, the local election shall instead be called and conducted by  
48 the governing authority of each parish in whose jurisdiction the water system provides  
49 service if either of the following applies:

1 (i) The water system also provides service to registered voters in unincorporated  
2 areas of one or more parishes.

3 (ii) The water system was created or franchised by the parish or parishes.

4 ~~(e)~~**(b)** Each local election pertaining to the exemption of said water system has been  
5 held in accordance with state and local law, and the certified results of each election show  
6 that a majority of the registered voters who cast a vote in said election approve exemption.

7 ~~(d)~~**(c)** No election on the same question in the same jurisdiction took place in the four  
8 years immediately prior to the election in which the exemption was approved.

9 ~~G.C.~~ The office of public health, through the department, shall promulgate rules and  
10 regulations in accordance with the Administrative Procedure Act relating to the fluoridation  
11 of public water systems, including but not limited to maintaining levels of fluoride in public  
12 water systems within the optimal range for the purpose of protecting the oral health of the  
13 citizens of this state.

14 Section 2. This Act shall become effective upon signature by the governor  
15 or, if not signed by the governor, upon expiration of the time for bills to become law without  
16 signature by the governor, as provided by Article III, Section 18 of the Constitution of  
17 Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act  
18 shall become effective on the day following such approval."