

JAN 17 2020

A BILL FOR AN ACT

RELATING TO SAFE WATER.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the practice of
2 adding fluoridation chemicals to public drinking water is
3 dangerous for many of the State's residents. The National
4 Toxicology Program recently concluded that fluoride is a
5 "presumed" neurotoxin. The National Research Council called
6 fluoride an endocrine disruptor, and studies show that it lowers
7 thyroid function, particularly in women. Fluoride has been
8 linked to sleep apnea and kidney and liver impairment in
9 adolescents. A large body of government-funded research has
10 also associated fluoride neurotoxicity with lower IQs in
11 children and with attention deficit hyperactivity disorder and
12 related behaviors.

13 The legislature finds that bottle-fed infants are exposed
14 to the highest doses of fluoride when fluoridated water is used
15 to mix their formula. Studies show that up to fifty-nine per
16 cent of formula-fed babies exceed the upper safe limit set by
17 the Institute of Medicine.



1 The legislature further finds that fluoridated water has
2 largely been rejected as a preventative dental strategy. The
3 Centers for Disease Control and Prevention have found that the
4 primary dental benefits of fluoride are as a topical treatment.

5 Accordingly, the purpose of this Act is to ensure safer
6 water in the State by prohibiting all suppliers of public water
7 from adding fluoridation chemicals.

8 SECTION 2. Section 340E-7, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "**§340E-7 Prohibited acts.** (a) No supplier of water shall
11 violate any rule adopted pursuant to section 340E-2.

12 (b) No supplier of water shall violate any condition or
13 provision of a variance, exemption, permit, or other written
14 authorization issued under this part.

15 (c) No supplier of water shall violate any requirement of
16 an emergency plan promulgated pursuant to section 340E-5.

17 (d) No supplier of water shall violate any rule adopted
18 under section 340E-6 or disseminate any false or misleading
19 information with respect to notices required pursuant to
20 section 340E-6 or with respect to remedial actions undertaken to



1 achieve compliance with state primary drinking water
2 regulations.

3 (e) No person shall violate any order issued by the
4 director pursuant to this part.

5 (f) No person shall cause a public water system to violate
6 the state primary drinking water regulations.

7 (g) No person shall violate underground injection control
8 rules adopted pursuant to this part.

9 (h) No person shall fail or refuse to comply with the
10 director's authority to inspect the premises of a supplier of
11 water pursuant to section 340E-4.6.

12 (i) No person shall install or repair any public water
13 system or any plumbing in a residential or nonresidential
14 facility providing water for human consumption which is
15 connected to a public water system with any pipe, solder, flux,
16 plumbing fittings, or fixtures that are not lead free. "Lead
17 free" with respect to solders and flux means containing not more
18 than 0.2 per cent lead, with respect to pipes and pipe fittings
19 means containing not more than 8.0 per cent lead and with
20 respect to plumbing fittings and fixtures means those in
21 compliance with National Sanitation Foundation Standard 61,



1 section 9. This subsection shall not apply to leaded joints
2 necessary for the repair of cast iron pipes.

3 (j) No person shall violate rules on public water system
4 capacity adopted pursuant to this part.

5 (k) No person or supplier of water shall introduce
6 fluoride to a public water system. Any statutes, executive
7 orders, ordinances, regulations, or rules that regulate the use
8 of fluoride in the State's public water systems are preempted
9 and existing statutes, executive orders, ordinances,
10 regulations, or rules conflicting with this subsection are
11 void."

12 SECTION 3. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.

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S.B. NO. 2732

Report Title:

Water; Public Water System; Fluoridation; Prohibition

Description:

Prohibits the introduction of fluoride to a public water system.
Provides that any conflicting laws or rules are preempted.

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