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## A BILL FOR AN ACT

RELATED 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 United States  
4 Department of Health and Human Services' National Toxicology  
5 Program concludes that fluoride is a "presumed" hazard. The  
6 National Research Council has identified fluoride an endocrine  
7 disruptor, and studies show that it lowers thyroid function,  
8 particularly in women. Fluoride is linked to sleep apnea and  
9 kidney and liver impairment in adolescents. A large body of  
10 government-funded research associates fluoride neurotoxicity  
11 with lower IQs in children, as well with attention deficit  
12 hyperactivity disorder and associated behaviors.

13       The legislature finds that formula-fed infants are exposed  
14 to the highest doses of fluoride when fluoridated water is used  
15 to mix their formula. A recent study showed that up to fifty-  
16 nine per cent of formula-fed infants exceed the tolerable upper  
17 intake level set by the National Academy of Medicine.



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

5       The purpose of this Act is to ensure safe water in the  
6   State by prohibiting all suppliers of public water from adding  
7   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 laws, executive orders,  
7 ordinances, regulations, or rules that regulate the use of  
8 fluoride in the State's public water systems are preempted and  
9 existing laws, executive orders, ordinances, regulations, or  
10 rules conflicting with this subsection shall be void."

11 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY:



JAN 17 2025



# H.B. NO. 540

**Report Title:**

Water; Public Water Systems; Fluoridation; Prohibition;  
Preemption

**Description:**

Prohibits the addition of fluoride to a public water system.  
Preempts and voids conflicting laws, executive orders,  
ordinances, regulations, or rules.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

