HOUSE DOCKET, NO. 1657 FILED ON: 1/20/2011

# HOUSE . . . . . No. 1048

The Commonwealth of Massachusetts

PRESENTED BY:

***Paul J. Donato***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act requiring the sterilization of musical instruments in schools.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|---|---|
| *Paul J. Donato* | *35th Middlesex* |
| *Stephen Stat Smith* | *28th Middlesex* |

HOUSE DOCKET, NO. 1657 FILED ON: 1/20/2011

# HOUSE . . . . . No. 1048

By Mr. Donato of Medford, a petition (accompanied by bill, House, No. 1048) of Paul J. Donato and Stephen Stat Smith for legislation to require that musical wind instruments be sterilized prior to being issued to a student. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *111* OF 2009-2010.]

## The Commonwealth of Massachusetts

An Act requiring the sterilization of musical instruments in schools.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Chapter 71 of the General Laws is hereby amended by inserting after section 55C the following section:

Section 55D. Any musical wind instrument provided by any school, public or private, to a student in grades pre-K through 12, for any instruction or activity of any nature, shall be thoroughly sterilized prior to issuance to each student who uses such instrument. Such musical wind instruments shall be sterilized through a process destroying all microbial life including, but not limited to, bacteria, fungi, viruses and endospores. The sterilization shall be performed by the school issuer using a certified sterilant approved by the environmental protection agency and the process protocol shall be established by the department of public health. Compliance and enforcement shall be under the jurisdiction of the department of public health. Notification of this section shall be conducted by the department of public health which shall notify all superintendents of schools. This section shall be applicable to all musical wind instruments other than newly purchased instruments in this manufacturer's original packaging.