

**HOUSE . . . . . No. 111**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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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:*

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

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