

HOUSE No. 4633

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

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
2 section 55C the following section:

3 Section 55D. Any musical wind instrument provided by any school, public, or
4 Commonwealth charter, to a student attending grades pre-kindergarten through 12, inclusive, for
5 any instruction or activity of any nature, shall be sterilized prior to issuance to each student who
6 uses such instrument. Such musical wind instruments shall be sterilized through a process
7 destroying all microbial life including, but not limited to, bacteria, fungi, viruses and endospores.
8 The sterilization shall be performed by the school using a certified sterilant approved by the
9 United States Environmental Protection Agency and the process shall be established by the
10 department of public health. Compliance and enforcement shall be under the jurisdiction of the
11 department of public health. Sterilization shall be applicable to all musical wind instruments
12 other than newly purchased instruments in the manufacturer's original packaging.

13 SECTION 2. This section shall take effect in any school district or Commonwealth
14 charter school upon acceptance by a school committee or a Commonwealth charter school board
15 of trustees.