

HOUSE No. 3893

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

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 to 12, inclusive, for any
5 instruction or activity of any nature, shall be sterilized prior to issuance to each student who uses
6 such instrument. Such musical wind instruments shall be sterilized through a process destroying
7 all microbial life including, but not limited to, bacteria, fungi, viruses and endospores. The
8 sterilization shall be performed by the school using a certified sterilant approved by the United
9 States Environmental Protection Agency and the process shall be established by the department
10 of public health. Compliance and enforcement shall be under the jurisdiction of the department
11 of public health. Sterilization shall be applicable to all musical wind instruments other than
12 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.