

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

By Mr. Donato of Medford, a petition (accompanied by bill, House, No. 111) of Paul J. Donato for legislation to require that musical wind instruments be sterilized prior to be issued to a student. Education.

**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 bill:

An Act requiring the sterilization of musical instruments in schools.

PETITION OF:

NAME:

Paul J. Donato

DISTRICT/ADDRESS:

35th Middlesex

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## 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 section  
2   55C the following section:

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