

HOUSE No. 04013

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on House, No. 829, a Bill promoting responsible investment and the prevention of genocide (House, No. 4013). March 29, 2012.

The Commonwealth of Massachusetts

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In the Year Two Thousand Twelve
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An Act promoting responsible investment and the prevention of genocide.

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 23A of the General Laws, as appearing in the 2008 Official Edition, is
2 hereby amended by adding the following section: -

3 Section 23B. The office of international trade and investment executive director shall make an
4 annual assessment of international trading partners in nations with a history of genocide or of
5 suspected genocide to determine whether they have acted affirmatively to acknowledge and
6 redress prior acts of genocide committed within their borders. The executive director shall
7 contact the international trade agencies in nations that have taken such affirmative action to
8 inform them of the commonwealth’s recognition of their efforts and their designation as a
9 priority trading partner.

10 SECTION 2. Section 23A of chapter 23A of the General Laws, as so appearing, is hereby
11 amended by inserting at the end thereof the following sentence : — The General Court shall not

12 consent to any trade agreement with a nation within whose boundaries genocide is occurring, as
13 declared by the General Court, the United States government or the United Nations.

14 SECTION 3. Paragraph (g) of subsection (2) of section 23 of chapter 32 of the General Laws,
15 as so appearing, is hereby amended by adding the following clause:—

16 (iv) subsequent to the date of such determination, no new investment of funds shall be made in
17 any bank or financial institution which directly or through any subsidiary has outstanding loans
18 to any individual corporation engaged in the manufacture, distribution or sale of firearms,
19 munitions, including rubber or plastic bullets, tear gas, armored vehicles, or military aircraft for
20 use or development in any activity in any country where genocide is occurring, as declared by
21 the General Court, the United States, or the United Nations, and no new investment of funds
22 shall be made in the stocks, securities or other obligations of any company so engaged.

23 SECTION 4. Said subsection (2) of said section 23 of said chapter 32, as so appearing, is
24 hereby amended by striking out, in line 224, the words “(i), (ii) and (iii)” and inserting in place
25 thereof the following:— (i) to (iv), inclusive.

26 SECTION 5. Said section 23 of said chapter 32, as so appearing, is hereby amended by striking
27 out, in line 377, the word “and”.

28 SECTION 6. Said section 23 of said chapter 32, as so appearing, is hereby amended by adding
29 after the word “engaged”, in lines 383 and 384, the following words:— ; and provided, further,
30 that no funds are to be invested in any bank or financial institution which directly or through any
31 subsidiary has outstanding loans to any individual corporation engaged in the manufacture,
32 distribution or sale of firearms, munitions, including rubber or plastic bullets, tear gas, armored
33 vehicles, or military aircraft for use or deployment in any activity in any country where genocide

34 is occurring, as declared by the general court, the United States, or the United Nations, and no
35 assets shall be invested in the stocks, securities or other obligations of any such company so
36 engaged. The PRIM board shall grant special consideration to investments, subject to the
37 requirements of this section, in countries which have acted affirmatively to acknowledge and
38 redress prior acts of genocide committed within their borders.