HOUSE . . . . . No. 4013

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

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:

SECTION 1. Chapter 23A of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding the following section: -

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

SECTION 2. Section 23A of chapter 23A of the General Laws, as so appearing, is hereby amended by inserting at the end thereof the following sentence : — The General Court shall not consent to any trade agreement with a nation within whose boundaries genocide is occurring, as declared by the G eneral C ourt, the United States government or the United Nations.

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

(iv) subsequent to the date of such determination , no new investment of funds shall be made in any bank or financial institution which directly or through any subsidiary has outstanding loans to any individual corporation engaged in the manufacture, distribution or sale of firearms, munitions, including rubber or plastic bullets, tear gas, armored vehicles, or military aircraft for use or development in any activity in any country where genocide is occurring, as declared by the G eneral C ourt, the United States, or the United Nations , and no new

23 investment of funds shall be made in the stocks, securities or other obligations of any company
24 so engaged.

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

28 SECTION 5. Said section 23 of said chapter 32, as so appearing, is hereby amended by
29 striking out, in line 377, the word "and".

30 SECTION 6. Said section 23 of said chapter 32, as so appearing, is hereby amended by
31 adding after the word "engaged", in lines 383 and 384, the following words:— ; and provided,
32 further, that no funds are to be invested in any bank or financial institution which directly or
33 through any subsidiary has outstanding loans to any individual corporation engaged in the
34 manufacture, distribution or sale of firearms, munitions, including rubber or plastic bullets, tear
35 gas, armored vehicles, or military aircraft for use or deployment in any activity in any country
36 where genocide is occurring, as declared by the general court, the United States, or the United
37 Nations, and no assets shall be invested in the stocks, securities or other obligations of any such
38 company so engaged. The PRIM board shall grant special consideration to investments, subject
39 to the requirements of this section, in countries which have acted affirmatively to acknowledge
40 and redress prior acts of genocide committed within their borders.