

By Mr. Scaccia of Boston, petition of William Francis Galvin and Angelo M. Scaccia for legislation to prevent employers from restricting the sale of employer securities held in employee pension accounts. Commerce and Labor.

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The Commonwealth of Massachusetts

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In the Year Two Thousand and Two.  
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AN ACT TO PREVENT EMPLOYERS FROM RESTRICTING THE SALE OF  
EMPLOYER SECURITIES HELD IN EMPLOYEE PENSION ACCOUNTS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 It is unlawful for any employer, in connection with an  
2 employee benefit plan or pension account to which employees  
3 may contribute, to prevent or restrict an employee, benefit plan, or  
4 pension account from selling or otherwise divesting itself of the  
5 securities of the employer.

6 For the purposes of this section, an “employee benefit plan”  
7 includes, a profit-sharing plan, a stock bonus plan, an employee  
8 stock ownership plan (ESOP), and pre-Employee Retirement  
9 Income Security Act (pre-ERISA) money purchase pension plans.

10 For the purposes of this section, an “employer” includes the  
11 employing organization and its majority-owned subsidiaries.

12 For the purposes of this section, an “employee” includes an  
13 employee, officer, director, trustee, independent contractor and  
14 consultant.

