

8011

2015-2016 Regular Sessions

I N A S S E M B L Y

June 4, 2015

Introduced by M. of A. ORTIZ -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the retirement and social security law, in relation to prohibiting investments in companies in the fossil fuel industry by trustees of the pension funds

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The opening paragraph of section 178 of the retirement and  
2 social security law is designated subdivision 1 and a new subdivision 2  
3 is added to read as follows:

4 2. (A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, INCLUDING THE  
5 PROVISIONS OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, THE TRUS-  
6 TEE OR TRUSTEES OF A FUND SHALL NOT HAVE THE POWER TO INVEST IN ANY  
7 STOCKS OR OTHER SECURITIES OF ANY CORPORATION OR COMPANY WITHIN THE  
8 FOSSIL FUEL INDUSTRY OR ANY SUBSIDIARY, AFFILIATE OR PARENT OF ANY  
9 CORPORATION OR COMPANY AMONG THE TWO HUNDRED LARGEST PUBLICLY TRADED  
10 FOSSIL FUEL COMPANIES, AS ESTABLISHED BY CARBON IN THE COMPANIES' PROVEN  
11 OIL, GAS AND COAL RESERVES. EXCEPT AS PROVIDED IN PARAGRAPH (B) OF THIS  
12 SUBDIVISION, THE TRUSTEES OF ANY SUCH FUNDS SHALL, IN ACCORDANCE WITH  
13 SOUND INVESTMENT CRITERIA AND CONSISTENT WITH THE BOARD'S FIDUCIARY  
14 OBLIGATIONS, DIVEST ANY SUCH STOCKS OR OTHER SECURITIES WHETHER THEY ARE  
15 OWNED DIRECTLY OR HELD THROUGH SEPARATE ACCOUNTS OR ANY COMMINGLED  
16 FUNDS. DIVESTMENT PURSUANT TO THIS SUBSECTION MUST BE COMPLETE BY JANU-  
17 ARY FIRST, TWO THOUSAND EIGHTEEN.

18 (B) SHORT-TERM INVESTMENT FUNDS THAT COMMINGLE COMMERCIAL PAPER OR  
19 FUTURES SHALL BE EXEMPT FROM THE RESTRICTIONS IMPOSED PURSUANT TO PARA-  
20 GRAPH (A) OF THIS SUBDIVISION.

21 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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