

SENATE No. 85

The Commonwealth of Massachusetts

PRESENTED BY:

Edward J. Kennedy, (BY REQUEST)

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 adoption of the accompanying bill:

An Act enabling private donations to the cannabis social equity trust fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Kevin Gilnack</i>		
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>3/10/2025</i>
<i>Manny Cruz</i>	<i>7th Essex</i>	<i>3/10/2025</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>4/7/2025</i>

SENATE No. 85

By Mr. Kennedy (by request), a petition (accompanied by bill, Senate, No. 85) of Kevin Gilnack, Bruce E. Tarr and Manny Cruz for legislation to enable private donations to the cannabis social equity trust fund. Cannabis Policy.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act enabling private donations to the cannabis social equity trust fund.

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. Section 14A of Chapter 94G of the General Laws is amended by inserting,
2 at the end of the section, the following subsection:

3 (f) The executive office of economic development, in consultation with the advisory
4 board, shall establish all necessary policies and procedures to enable the fund to solicit and
5 accept donations from private individuals and entities including but not limited to licensed
6 marijuana establishments or medical marijuana treatment centers seeking to satisfy their positive
7 impact plan pursuant to Mass. Gen. Laws ch. 94G, § 4(a1/2)(xxxv), and other businesses,
8 nonprofit organizations, and individuals.

9 (i) The executive office of economic development and the cannabis control commission
10 shall publicize opportunities to donate to the cannabis social equity trust fund on their website
11 and other relevant materials provided to marijuana establishments, medical marijuana treatment
12 centers, municipalities, the media, other stakeholders, and the public.

(ii) No later than 90 days after the end of the fiscal year, the executive office of economic development shall submit a report to the chairs of the joint committee on ways and means and the joint committee on cannabis policy on private donations to the fund, including but not limited to efforts to advertise and solicit private donations, amounts raised, summary of amounts raised by source type, amount spent to administer the solicitation and collection of private donations.

SECTION 2. Chapter 62 of the General Laws is amended by inserting, after Section 6N, the following section:

Section 6O: Cannabis Social Equity Trust Fund; voluntary contributions

Section 6O. Every individual who files a separate return may voluntarily contribute one dollar to be paid over to the Cannabis Social Equity Trust Fund, established by section 14A of chapter 94G. In the case of a joint return of husband and wife, each spouse may voluntarily contribute five thousand dollars to said fund. A credit in the full amount of any contribution under this section shall be allowed against the tax imposed by this chapter; provided, that for any such return no such credit shall exceed the income tax liability for any taxable year.

A contribution made under this section may be made with respect to any taxable year at the time of filing the return of the tax imposed by this chapter for such taxable year; provided, however, that the commissioner shall prescribe the manner in which such contribution shall be made on the face of the return required by section five of chapter sixty-two C.

The provisions of this section shall apply only to residents required to file a return under this chapter.

For purposes of this section the words "income tax liability for any taxable year" shall mean the amount of tax imposed by this chapter reduced by sum of the credits allowed by clause (a) of section six.

SECTION 3. Section 14A of Chapter 94G of the General Laws is amended by inserting, at the end of the section, the following subsection:

(g) The executive office of economic development, in consultation with the advisory board, shall establish a program to guarantee loans through Community Development Financial Institutions, non-traditional nonprofit lenders, credit unions, and banks using a portion of the fund.

(i) The executive office of economic development, in consultation with the advisory board, shall convene at least one public listening session for stakeholders to provide feedback regarding the amount or percent of available funds that should be used for this program and other program details.

(ii) The executive office of economic development, in consultation with the advisory board, shall a stakeholders working group to provide feedback and guidance in the development of this program. The working group shall include the fund manager, secretary of the executive office of economic development of their designee, commissioner of banks of their designee, director of the growth capital division of the Massachusetts development finance agency or their designee, the chairs of the joint committee on cannabis policy committee or their designees, the chairs of the joint committee on ways and means or their designee, the chairs of the joint committee on financial services or their designee, the chairs of the joint committee on community development and small business or their designee, the chair of the Massachusetts

55 cannabis advisory board or their designee, the chair of the cannabis control commission or their
56 designee, three social equity businesses owners appointed by the governor, three social equity
57 business owners appointed by the treasurer and receiver general, three social equity business
58 owners appointed by the attorney general, one community development financial institution
59 leader appointed by the governor, one bank leader appointed by the governor, one credit union
60 leader appointed by the governor, and the eon foundation.

61 (iii) The advisory board, in consultation with the working group, shall approve the
62 percent or amount of available funds to be used for this program.

63 The advisory board, in consultation with the executive office of economic development
64 and the working group shall promulgate regulations governing the structure and administration
65 of the program.