

SENATE BILL No. 331

By Committee on Federal and State Affairs

1-14

1 AN ACT concerning firearms; enacting the Kansas firearms industry
2 nondiscrimination act.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. The provisions of sections 1 through 6, and amendments
6 thereto, shall be known and may be cited as the Kansas firearms industry
7 nondiscrimination act.

8 Sec. 2. As used in this act unless the context requires otherwise:

9 (a) "Person" means one or more individuals, partnerships,
10 associations, limited liability companies, corporations, unincorporated
11 organizations, mutual companies, joint stock companies, trusts, agents,
12 legal representatives, trustees, trustees in bankruptcy, receivers, labor
13 organizations, public bodies, public corporations and the state of Kansas,
14 and all political subdivisions and agencies thereof.

15 (b) "Trade association" means any corporation, unincorporated
16 association, federation, business league, professional or business
17 organization not organized or operated for profit and no part of the net
18 earnings of which inures to the benefit of any private shareholder or
19 individual; that is an organization described in 26 U.S.C. § 501(c)(6) and
20 exempt from tax under 26 U.S.C. § 501(a); and two or more members of
21 which are manufacturers or sellers of a qualified product as defined by 15
22 U.S.C. § 7903(4).

23 Sec. 3. It shall be an unlawful discriminatory practice for any person
24 to refuse to provide any goods or services of any kind, to refrain from
25 continuing an existing business relationship, to terminate an existing
26 business relationship with or otherwise discriminate against a person or
27 trade association solely because a person is engaged in the lawful
28 commerce of firearms or ammunition products and who is licensed
29 pursuant to chapter 44 of title 18 of the United States code or a trade
30 association as defined by this act.

31 Sec. 4. A victim of unlawful discriminatory practices described in
32 section 3, and amendments thereto, may bring a civil cause of action for
33 unlawful discriminatory practices against any person who committed the
34 offense for actual and compensatory damages, punitive damages,
35 injunctive relief or any other appropriate civil relief.

36 Sec. 5. A plaintiff who successfully prevails in a civil action filed

1 pursuant to this act shall be entitled to recover reasonable attorney fees and
2 all court costs.

3 Sec. 6. A private civil cause of action filed pursuant to this act must
4 be filed no later than two years after the date when the aggrieved person
5 becomes aware of the unlawful discriminatory practice set forth in section
6 3, and amendments thereto.

7 Sec. 7. This act shall take effect and be in force from and after its
8 publication in the statute book.