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

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

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

Sec. 2. As used in this act unless the context requires otherwise:
(a) "Person" means one or more individuals, partnerships, associations, limited liability companies, corporations, unincorporated organizations, mutual companies, joint stock companies, trusts, agents, legal representatives, trustees, trustees in bankruptcy, receivers, labor organizations, public bodies, public corporations and the state of Kansas, and all political subdivisions and agencies thereof.
(b) "Trade association" means any corporation, unincorporated association, federation, business league, professional or business organization not organized or operated for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual; that is an organization described in 26 U.S.C. § 501(c)(6) and exempt from tax under 26 U.S.C. § 501(a); and two or more members of which are manufacturers or sellers of a qualified product as defined by 15 U.S.C. § 7903(4).

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

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

Sec. 5. A plaintiff who successfully prevails in a civil action filed
SB 331

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

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

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