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300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Senate Committee on Ways and Means
From: Office of Revisor of Statutes
Date: Wednesday, March 24, 2021
Re: Bill brief on Senate Bill No. 264

Senate Bill No. 264 enacts the Kansas fights addiction act to establish a grant program for the purpose of preventing, reducing, treating and mitigating the effects of substance abuse.

Section 1 names the act and Section 2 provides definitions to be used throughout the act.

Section 3 provides that the attorney general shall remit to the state treasurer all moneys that are received by the state pursuant to the opioid litigation in which the attorney general is involved that is dedicated by the terms of such litigation for the abatement or remediation of substance abuse or addiction. This money will go into the Kansas fights addiction fund, which is created in subsection (b). The money shall be used for grants approved by the Kansas fights addiction grant review board to qualified applicants for projects and activities to prevent, reduce, treat or mitigate the effects of substance abuse.

Section 4 creates the Kansas fights addiction grant review board under the jurisdiction of the attorney general. The board shall have 11 members, and at least one member shall be from each congressional district. The members shall have expertise in the prevention, reduction, treatment or mitigation of the effects of substance abuse. Two members shall be appointed by the attorney general, one member appointed by the governor, one member appointed by the president of the senate, one member appointed by the speaker of the house of representatives, one member appointed by the minority leader of the senate, one member appointed by the minority leader of the house of representatives, one member appointed by the league of Kansas municipalities, one member appointed by the Kansas association of counties, one member appointed by the Kansas county and district attorneys association and one member appointed by the association of

community mental health centers of Kansas, after consulting with the Kansas association of addiction professionals.

Action by the board shall be by six affirmative votes, and the board may adopt rules for its procedures and operations. The board shall receive and consider applications for grants, and in awarding grants the board shall support services throughout the state, take into account science and substance abuse prevention strategies, consult with appropriate public and private entities to ensure coordination of drug abuse and addiction prevent and mitigation throughout the state, approve grants only in compliance with the requirements of Section 3 and consider the sustainability of programming after grant funds are exhausted. The board may establish conditions for the award of grants and require assurance and subsequent review to ensure such conditions are satisfied, give preference to qualified applicants that are not otherwise seeking or receiving funds from opioid litigation and give preference to expand availability of the certified drug abuse treatment program.

The attorney general shall provide administrative support for the board and may enter into agreements with the sunflower foundation. Subsection (d) provides requirements for such agreements. Members of the board shall not receive compensation or expenses and shall file a statement of substantial interest. No member shall participate in the consideration of any grant application for which the member has a conflict of interest.

Section 5 provides that the attorney general and each municipality shall be solely responsible for paying the costs of opioid litigation brought under their respective authorities. They may seek payment of reimbursement of such costs not subject to the requirements of Section 2.

Section 6 provides that, on and after January 1, 2021, no municipality shall file or maintain opioid litigation in any court without prior approval of the attorney general, and if a municipality already filed such litigation it shall withdraw from such litigation unless the municipality receives approval from the attorney general. This section shall not apply to litigation filed prior to January 1, 2021.

Section 7 provides that, not later than March 1 of each year, the Kansas fights addiction grant review board shall submit a report of activities to the speaker of the house of representatives, the president of the senate, the governor and the attorney general. The report shall include an accounting of moneys deposited into and expended from the Kansas fights addiction fund, a summary of each approved grant, an explanation of how the board's actions have complied with the act and any other relevant information the board deems appropriate.