



**STATE OF KANSAS  
OFFICE OF THE ATTORNEY GENERAL**

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**Office of the Attorney General  
Committee on Government Efficiency  
Opponent Testimony on SB 99  
February 12, 2025**

Chairwoman Erickson and Members of the Committee,

Thank you for the opportunity to provide testimony on Senate Bill 99. While we appreciate the intention of this bill to reduce government inefficiencies and address budget concerns, we must respectfully oppose it due to the serious, unintended consequences it would have on the Office of the Attorney General. If passed, this bill would severely limit our office's ability to fulfill our core responsibilities, potentially jeopardizing public safety, undermining the state's legal system, and leaving recent legislation without enforcement.

Kansas is already grappling with a severe shortage of attorneys, as recently noted by Justice K.J. Wall, and the Office of the Attorney General is experiencing similar challenges. Nationally, we are facing a crisis in the availability of public defenders and prosecutors, and this bill would only exacerbate that problem. As a result, our ability to prosecute violent crimes, including murders and sexual crimes against children, would be compromised, significantly impacting public safety.

Currently, the Office of the Attorney General faces a vacancy rate of 15%, with many of these vacancies concentrated in attorney positions that are essential for fulfilling our statutory obligations. If Senate Bill 99 were to become law, positions that have been vacant for 180 days would be eliminated on July 1st. However, the statutory duties of the Office of the Attorney General would remain unchanged, meaning we would still be legally required to carry out these responsibilities, but without the resources or personnel to do so effectively.

To comply with the law, our office would be forced to prioritize only the most essential statutory functions, leaving other critical duties—such as prosecuting child sex crimes or capital murder cases—unattended. While these duties are not statutorily mandated, they are vital to the well-being of our communities and the integrity of our justice system. It

would be unconscionable to let them fall by the wayside due to a legislatively mandated permanent lack of staffing.

More concerning, recent laws passed by the legislature, such as those requiring age verification for access to pornographic websites, would be left entirely gutted from enforcement. These new laws, which were passed with the intent of protecting our children and promoting public safety, would have no real impact if we lack the staff to enforce them. By eliminating these attorney positions, the Office of the Attorney General would be unable to meet its obligation to enforce vital new protections for Kansans.

Moreover, the elimination of these positions could lead to staff burnout. It would quickly become apparent that the remaining staff would be left to shoulder ever-growing workloads, with no clear indication of when or if those workloads will ever be divided among a fully staffed office again. This would further complicate our ability to recruit and retain attorneys, ultimately crippling our capacity to protect consumers, prosecute crimes, and defend Kansas' constitutional rights and freedoms.

To be clear, we understand the need to eliminate wasteful spending and streamline government operations. However, a blanket approach to abolishing vacant FTEs could inadvertently cripple the Office of the Attorney General's ability to serve Kansans effectively. A more strategic approach could preserve critical resources, especially attorney positions, which are essential for maintaining public safety and fulfilling our constitutional obligations. At the very least, we strongly urge this committee to exempt attorney positions from the scope of this bill to prevent these critical functions from being compromised.

In closing, we urge this committee to reconsider the impact of Senate Bill 99 on the Office of the Attorney General. We are committed to working collaboratively with the committee and other stakeholders to identify and eliminate waste in government, but we firmly believe this bill as currently presented is not the right solution.

Thank you for your time and consideration.

Respectfully Submitted,

Charles Dalton  
Chief of Staff  
Office of the Attorney General