

SENATE BILL No. 160

By Committee on Education

2-3

1 AN ACT concerning the attorney general; relating to the duties and
2 responsibilities of the attorney general; granting the attorney general
3 concurrent authority to prosecute crimes related to elementary and
4 secondary education; amending K.S.A. 2024 Supp. 75-702 and
5 repealing the existing section.
6

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

8 Section 1. K.S.A. 2024 Supp. 75-702 is hereby amended to read as
9 follows: 75-702. (a) The attorney general shall appear for the state, and
10 prosecute and defend any and all actions and proceedings, civil or
11 criminal, in the Kansas supreme court, the Kansas court of appeals and in
12 all federal courts, in which the state shall be interested or a party, and shall,
13 when so appearing, control the state's prosecution or defense.

14 (b) The attorney general shall also, when required by the governor or
15 either branch of the legislature, appear for the state and prosecute or
16 defend, in any other court or before any officer, in any cause or matter,
17 civil or criminal, in which this state may be a party or interested or when
18 the constitutionality of any law of this state is at issue and when so
19 directed shall seek final resolution of such issue in the supreme court of
20 the state of Kansas.

21 (c) (1) The attorney general shall have authority to prosecute any
22 matter related to a violation of K.S.A. 12-189 or 75-5133, and
23 amendments thereto, related to unlawful acts when the offender is an
24 officer or employee of a city or county.

25 (2) Notwithstanding any provision of law to the contrary, the attorney
26 general shall have concurrent authority with any county or district attorney
27 to prosecute *any crime that is codified in chapter 72 of the Kansas Statutes*
28 *Annotated, and amendments thereto, and* the following crimes when they
29 are part of an alleged course of criminal conduct that occurred in two or
30 more counties:

31 (A) Organized retail crime as defined in K.S.A. 2024 Supp. 21-5841,
32 and amendments thereto, and any other crime that is part of such alleged
33 course of criminal conduct;

34 (B) theft as defined in K.S.A. 21-5801, and amendments thereto;

35 (C) violations of the Kansas racketeer influenced and corrupt
36 organizations act, K.S.A. 21-6327 et seq., and amendments thereto; and

1 (D) any attempt, conspiracy or criminal solicitation as defined in
2 K.S.A. 21-5301, 21-5302 or 21-5303, and amendments thereto, of the
3 crimes described in subsection (c)(2)(A), (c)(2)(B) or (c)(2)(C).

4 Sec. 2. K.S.A. 2024 Supp. 75-702 is hereby repealed.

5 Sec. 3. This act shall take effect and be in force from and after its
6 publication in the statute book.