

SESSION OF 2023

SUPPLEMENTAL NOTE ON SENATE BILL NO. 244

As Recommended by Senate Committee on
Judiciary

Brief*

SB 244 would amend law concerning the prosecutorial authority of the Attorney General. The bill would authorize the Attorney General, concurrently with a county or district attorney, to prosecute any crime, the attempt to commit any crime, or the attempt, conspiracy, or criminal solicitation of any crime when the alleged course of conduct occurs in two or more counties.

Background

The bill was introduced by the Senate Committee on Judiciary at the request of Senator Claeys. On February 23, 2023, the bill was referred to the Senate Committee on Ways and Means. On March 1, 2023, the bill was rereferred to the Senate Committee on Judiciary.

Senate Committee on Judiciary

In the Senate Committee hearing on March 6, 2023, the Attorney General testified as a **proponent** of the bill, stating the bill would provide additional prosecutorial resources when crimes are committed in more than one county in Kansas. The Attorney General also provided the example of organized retail crime as a potential use for the authority that would be granted under the bill. Proponent testimony was also

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

provided by a representative of the Kansas Chamber and Kansas Retail Council.

Written-only proponent testimony was received from a representative of Home Depot.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of Budget on the bill, the Office of the Attorney General states the bill would increase the number of prosecution cases handled by the Office. The Office estimates that for FY 2024, it would require 1.0 Attorney FTE position and 1.0 Special Agent FTE position at a total cost of \$227,981 from the State General Fund for salaries and benefits. In addition, the Office would require \$24,844 from the State General Fund for related operating expenses. Any fiscal effect associated with the bill is not reflected in *The FY 2024 Governor's Budget Report*.

The Kansas Association of Counties states the bill could generate some savings from coordinating with the Attorney General on qualifying prosecutions. However, the Association cannot determine a precise fiscal effect. The Kansas League of Municipalities states that the bill would not have a fiscal effect on cities.

County attorney; district attorney; Attorney General; prosecution; two or more counties