

SENATE BILL No. 244

By Committee on Judiciary

2-10

Proposed Amendments to SB 244 - theft and RICO
House Committee on Corrections and Juvenile Justice
Prepared by the Office of Revisor of Statutes
March 21, 2023

1 AN ACT concerning the attorney general, authorizing prosecution of any
2 crime that is part of an alleged course of criminal conduct that occurred
3 in two or more counties; amending K.S.A. 75-702 and repealing the
4 existing section.

certain crimes that are

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

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

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

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

theft as defined in K.S.A. 2022 Supp. 21-5801, and amendments thereto, a
violation of the Kansas racketeer influenced and corrupt organizations act,
K.S.A. 2022 Supp. 21-6327 et seq., and amendments thereto,

24 (2) Notwithstanding any provision of law to the contrary, the attorney
25 general shall have concurrent authority with any county or district
26 attorney to prosecute any crime or an attempt, conspiracy or criminal
27 solicitation as defined in K.S.A. 2022 Supp. 21-5301, 21-5302 or 21-5303,
28 and amendments thereto, of any crime that is part of an alleged course of
29 criminal conduct that occurred in two or more counties.

such crimes

30 Sec. 2. K.S.A. 75-702 is hereby repealed.

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