

2023 Kansas Statutes

48-241a. Payment of expenses for defense of members of national and state guards in certain civil and criminal actions; selection of defense attorney; duties of attorney general. If any member or any former member of the Kansas national guard, or the Kansas air national guard, or the Kansas state guard is prosecuted by civil or criminal action for any act performed or committed while a member, or an act caused, ordered or directed by such member to be done or performed, in furtherance of or while in the performance of military duty, all of the expense of the defense of such actions, civil or criminal, including attorney's fees, witnesses' fees for the defense, defendant's court costs and all costs for transcripts of records and abstracts thereof on appeal by the defense, shall be paid by the state in accordance with the provisions of this section. The attorney general shall be consulted first in regard to the selection of the attorney for the defense and shall have approved thereof, except that the attorney general may assume, if he or she sees fit, the responsibility for the defense of such member and may conduct the same personally or by one or more assistant attorneys general. The expense of such defense shall be paid by the attorney general from moneys made available to the attorney general for such purpose upon vouchers approved by the attorney general and in accordance with the provisions of appropriation acts.

History: L. 1968, ch. 78, § 2; L. 1976, ch. 372, § 1; L. 1977, ch. 290, § 6; July 1.