

To: House Judiciary

From: Erik Sartorius, Executive Director

Date: March 22, 2021

RE: HB 2412 Testimony

We want to thank Chairman Patton and the members of the Committee for affording the League of Kansas Municipalities the opportunity to provide neutral testimony on HB 2412.

HB 2412 creates the Kansas Fights Addiction Act and establishes a process to utilize the money recovered by the Attorney General for programs to prevent, treat, or decrease substance abuse throughout the State.

In talks about this topic, it became very clear that cities' interests in this area vary widely; however, they share a common goal of wanting this settlement to be used in their communities to deal with an issue that has ravaged our state and our country. The money should be spent in both rural and urban communities. Concerns have been raised that by only requiring 1/8 of litigation proceeds be spent in each congressional district the money will naturally flow primarily to urban areas due to the higher population. It is important that this money be used across the state to address this issue. While rural areas might not have the higher populations of urban areas, the opioid crisis is unfortunately equally prevalent.

It is in the best interest of the State's total recovery for as many cities as possible to release their future claims; however, it is equally important that this decision is not entered into lightly by cities, especially without a guarantee their communities will share in the recovery. HB 2412 appears unique compared to proposals in other states in that it does not set aside a specific sum of money to incentivize cities to release their claims. It simply allows them to apply for grants along with non-profits and other entities.

Discussions on how to address this issue among our members has resulted in the amendment being proposed by the City of Overland Park after discussions with other cities.

This amendment would 1) set aside a designated amount for non-litigating cities and litigating cities that release their claims, 2) encourage litigating cities to release their claims to gain access to these funds designated for municipalities and 3) encourage litigating cities to release their claims so they can be given preference along with non-litigating cities for state grants. We think these changes reflect the collaborative approach the Attorney General has previously discussed. We would urge this committee to adopt this amendment and make HB 2412 a much stronger tool for addressing the opioid crisis now and in the future.