

OFFICE OF THE ATTORNEY GENERAL

FY 2023 – FY 2025 BUDGET ANALYSIS

FIGURE 1
BUDGET OVERVIEW, FY 2023 – FY 2025

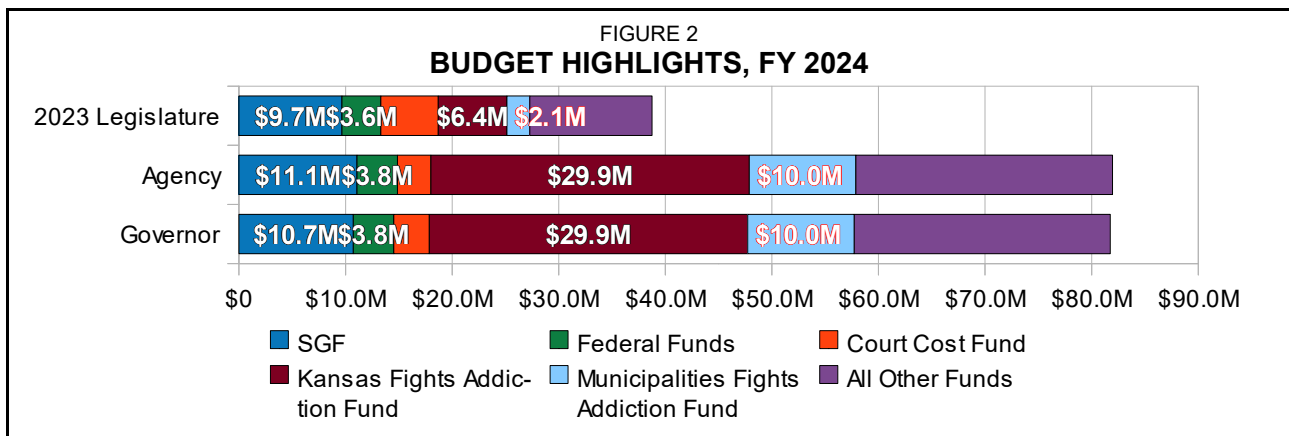
	Actual FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
Operating Expenditures:					
State General Fund	\$ 6,602,837	\$ 11,072,451	\$ 10,723,039	\$ 10,888,918	\$ 9,876,180
Federal Funds	3,554,272	3,804,580	3,804,580	3,773,291	3,773,291
All Other Funds	64,572,754	67,078,123	67,218,897	32,083,032	32,922,285
<i>Subtotal</i>	<i>\$ 74,729,863</i>	<i>\$ 81,955,154</i>	<i>\$ 81,746,516</i>	<i>\$ 46,745,241</i>	<i>\$ 46,571,756</i>
Capital Improvements:					
State General Fund	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	-	-	-	-	-
All Other Funds	-	-	-	-	-
<i>Subtotal</i>	<i>\$ -</i>	<i>\$ -</i>	<i>\$ -</i>	<i>\$ -</i>	<i>\$ -</i>
TOTAL	\$ 74,729,863	\$ 81,955,154	\$ 81,746,516	\$ 46,745,241	\$ 46,571,756
Percentage Change:					
State General Fund	2.8 %	67.7 %	62.4 %	(1.7) %	(7.9) %
All Funds	150.3 %	9.7 %	9.4 %	(43.0) %	(43.0) %
FTE Positions*	195.2	200.2	198.2	200.2	198.2

*Staff Note: This number represents both on- and off-budget FTE positions.

The Attorney General is a constitutional statewide elected official who is the chief legal officer of and advocate for the State. In addition, the Attorney General serves as the State's chief law enforcement officer. The Office of the Attorney General (OAG) is organized into nine programs: Administration Division, Solicitor's Division, Special Litigation Division, Victim Services Division, Criminal Division, Youth Services Division, Public Protection Division, Civil Division, and the Office of Medicaid Inspector General. All programs are detailed in this budget analysis.

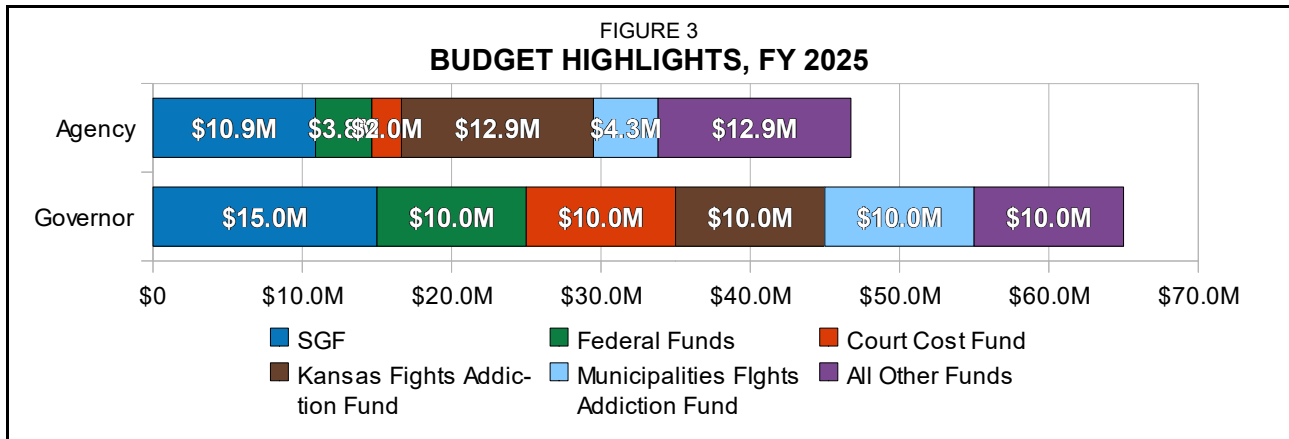
EXECUTIVE SUMMARY

The 2023 Legislature approved a budget of \$38.5 million, including \$9.5 million from the State General Fund (SGF), for the Office of the Attorney General for FY 2024. One adjustment was made subsequently to that amount, which changes the current year approved amount without any legislative action required. The agency received an increase of \$216,280 SGF in FY 2024 based on the reappropriation from FY 2023 funding that was not spent. This results in an approved budget of \$38.8 million, including \$9.7 million SGF, in FY 2024.



The **agency** requests a revised estimate of \$82.0 million, including \$11.1 million SGF, in expenditures and 200.2 FTE positions in FY 2024. This is an all funds increase of \$43.2 million, or 111.5 percent, above the FY 2024 approved amount. This includes an increase of \$1.4 million SGF, or 14.5 percent, above the approved amount. The increase is primarily attributable to increased expenditures of \$11.3 million from the Tort Claims Fund, \$23.4 million from the Kansas Fights Addiction Fund, and \$7.8 million from the Municipalities Fight Addiction Fund. Additionally, the revised estimate includes nine supplemental requests totaling \$2.0 million and a request for an additional 5.0 FTE positions.

The **Governor** recommends expenditures of \$81.7 million, including \$10.7 million SGF, and 198.2 FTE positions in FY 2024. This is an all funds decrease of \$208,638, or 0.3 percent, and an SGF decrease of \$349,412, or 3.3 percent, and 2.0 FTE positions below the agency's FY 2024 revised estimate. The expenditure and FTE decreases are attributable to the Governor not recommending the agency's requests for \$165,923 SGF in supplemental funding and 2.0 FTE positions for the total salary and benefits for an Investigator in the Affirmation Civil Enforcement Unit and a Special Agent in Charge in the Licensing and Inspection Unit and \$200,000 SGF in supplemental funding to recover funds due to a shortage in the Court Cost Fund in FY 2024.



The **agency** requests \$46.7 million, including \$10.9 million SGF, in expenditures and 200.2 FTE positions for FY 2025. This is an all funds decrease of \$35.2 million, or 43.0 percent, below the FY 2024 revised estimate. This is primarily attributable to decreased expenditures of \$11.1 million from the Tort Claims Fund, \$17.0 million from the Kansas Fights Addiction Fund, and \$5.7 million from the Municipalities Fight Addiction Fund. This is partially offset by the agency's seven enhancement requests totaling \$1.3 million and a request for an additional 5.0 FTE positions.

The **Governor** recommends expenditures of \$46.6 million, including \$9.9 million SGF, and 198.2 FTE positions for FY 2025. This is an all funds decrease of \$173,485, or 0.4 percent, and an SGF decrease of \$1.0 million, or 9.3 percent, and 2.0 FTE positions below the agency's FY 2025 request. The expenditure and FTE decreases are attributable to the Governor not recommending the agency's requests for \$173,485 SGF in enhancement funding and 2.0 FTE positions for the total salary and benefits for an Investigator in the Affirmation Civil Enforcement Unit and a Special Agent in Charge in the Licensing and Inspection Unit and \$900,000 SGF in enhancement funding to recover funds due to a shortage in the Court Cost Fund for FY 2025.

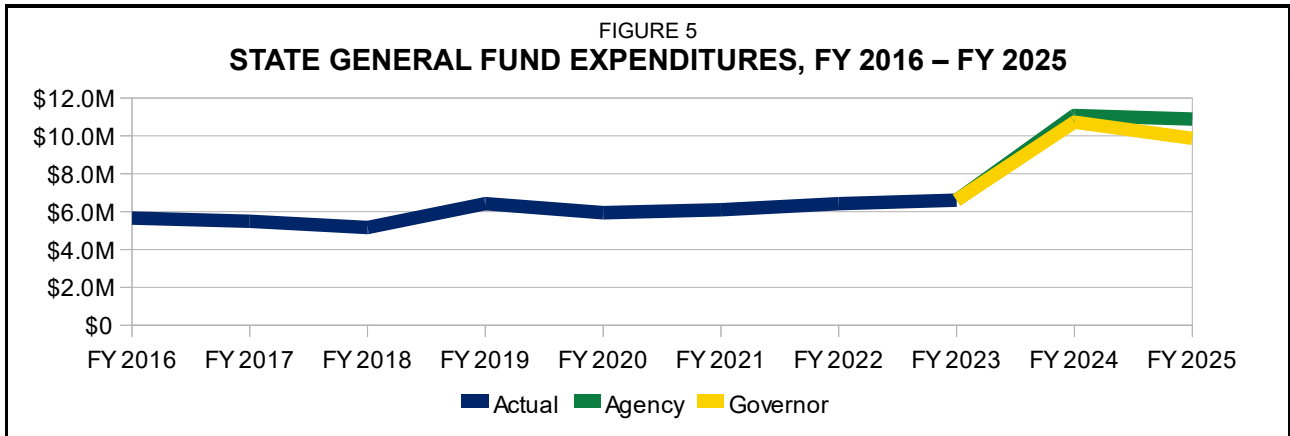
EXPENDITURES AND FINANCING

FIGURE 4
BUDGET SUMMARY BY CATEGORY OF EXPENDITURE, FY 2023 – FY 2025

Category of Expenditure:	Actual FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
Salaries and Wages	\$ 13,620,802	\$ 18,195,241	\$ 17,986,603	\$ 17,504,900	\$ 17,331,415
Contractual Services	9,372,733	5,708,552	5,708,552	5,082,472	5,082,472
Commodities	134,745	134,150	134,150	133,750	133,750
Capital Outlay	465,620	564,132	564,132	608,248	608,248
Debt Service Interest	-	-	-	-	-
<i>Subtotal</i>	<i>\$ 23,593,900</i>	<i>\$ 24,602,075</i>	<i>\$ 24,393,437</i>	<i>\$ 23,329,370</i>	<i>\$ 23,155,885</i>
Aid to Local Units	10,661,641	10,046,028	10,046,028	4,374,226	4,374,226
Other Assistance	40,474,322	47,307,051	47,307,051	19,041,645	19,041,645
<i>Subtotal—Operating</i>	<i>\$ 74,729,863</i>	<i>\$ 81,955,154</i>	<i>\$ 81,746,516</i>	<i>\$ 46,745,241</i>	<i>\$ 46,571,756</i>
Capital Improvements	-	-	-	-	-
Debt Service Principal	-	-	-	-	-
TOTAL	\$ 74,729,863	\$ 81,955,154	\$ 81,746,516	\$ 46,745,241	\$ 46,571,756
Financing:					
State General Fund	\$ 6,602,837	\$ 11,072,451	\$ 10,723,039	\$ 10,888,918	\$ 9,876,180
Court Cost Fund	4,662,555	3,129,759	3,329,759	1,981,960	2,881,960
Kansas Fights Addiction Fund	34,510,672	29,876,539	29,876,539	12,861,071	12,861,071
Federal Funds	3,554,272	3,804,580	3,804,580	3,773,291	3,773,291
All Other Funds	25,399,527	34,071,825	34,012,599	17,240,001	17,179,254
TOTAL	\$ 74,729,863	\$ 81,955,154	\$ 81,746,516	\$ 46,745,241	\$ 46,571,756
FTE Positions*	195.2	200.2	198.2	200.2	198.2

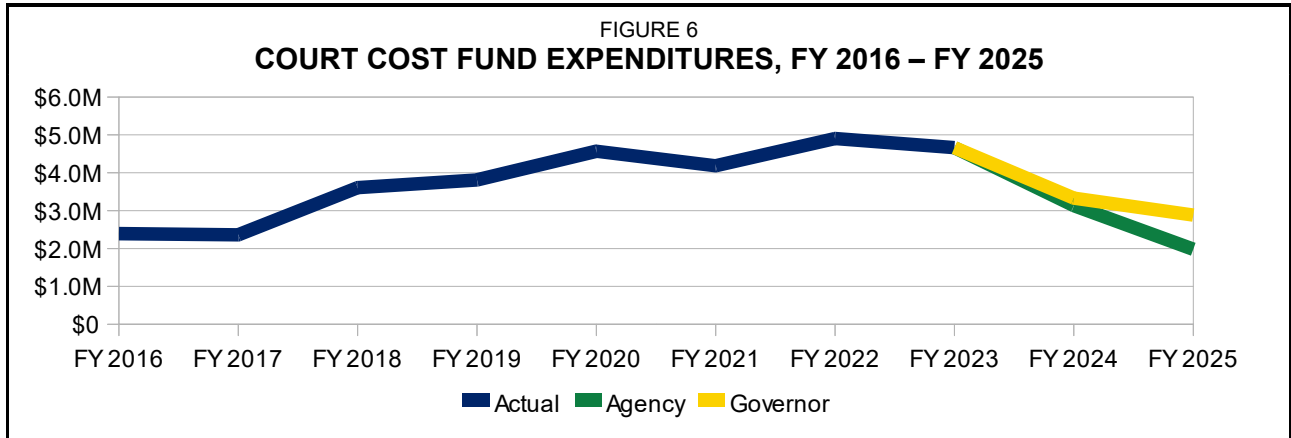
*Staff Note: This number represents both on- and off-budget FTE positions.

STATE GENERAL FUND



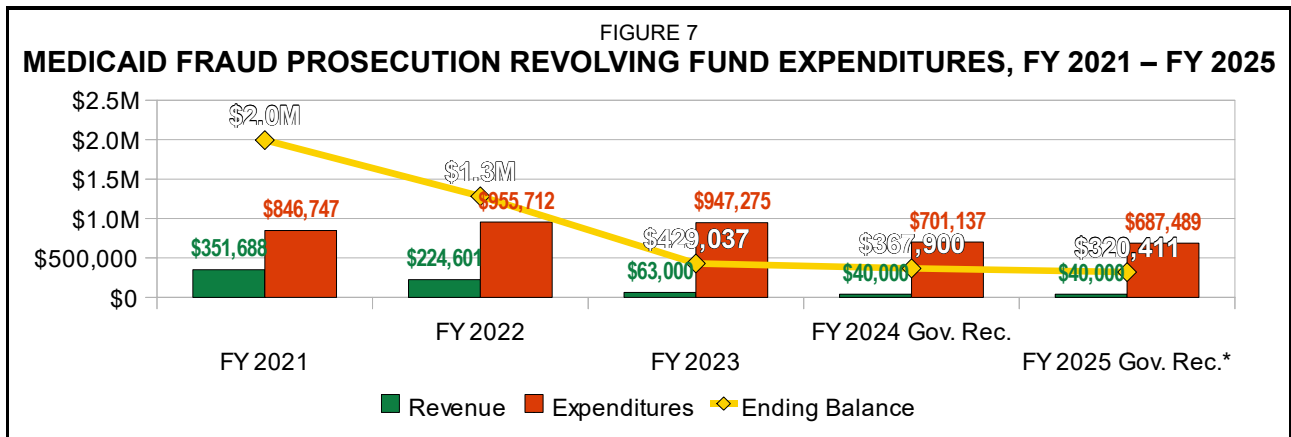
For the Office of the Attorney General, SGF expenditures are primarily for salaries and wages expenditures of \$7.8 million in FY 2024 and \$8.6 million for FY 2025. The agency's FY 2024 request includes contractual services expenditures of \$2.0 million in FY 2024 and \$1.1 million for FY 2025. Included in these amounts are expenditures related to the agency's FY 2024 supplemental requests (\$1.4 million) and FY 2025 enhancement requests (\$1.8 million).

COURT COST FUND



The Court Cost Fund recovers fees and expenses of investigators and attorneys in the Consumer Protection Division. The main source of revenue is from large, multi-state legal actions. The agency indicates that as a smaller state, Kansas has little control over these cases and generally depends on other states to take the lead. The agency deposits these receipts consistent with the related court order for use in consumer protection matters. Receipts can vary widely from year to year. The agency uses this fund to support the Consumer Protection Division and for salaries and wages that had previously been paid through SGF moneys.

MEDICAID FRAUD PROSECUTION REVOLVING FUND



* For FY 2025, the lowest month ending balance for the Medicaid Fraud Prosecution Revolving Fund will occur in June, with a balance of \$0.

The Medicaid Fraud Prosecution Revolving Fund collects awarded fees and prosecution expenses following successful prosecution in Medicaid fraud cases. Expenditures from this account are to meet the required 25.0 percent state match requirement for federal Medicaid Fraud program grants. In the past, the Medicaid Fraud Prosecution Revolving Fund met the 25.0 percent state match requirement through awards from consumer protection judgments regarding prescription drug labels.

FY 2024 ANALYSIS

FIGURE 8

SUMMARY OF BUDGET REQUEST, FY 2024

	SGF	All Funds	FTE*
Legislative Approved:			
Amount Approved by 2023 Legislature	\$ 9,455,320	\$ 38,539,120	186.8
1. SGF Reappropriation	216,280	216,280	--
<i>Subtotal—Legislative Approved</i>	<u>\$ 9,671,600</u>	<u>\$ 38,755,400</u>	<u>186.8</u>
Agency Revised Estimate:			
Supplemental Requests:			
2. Medicaid Fraud Control Unit Federal Match	\$ -	\$ 600,000	--
3. Natural Gas Litigation Funding	1,000,000	1,000,000	--
4. Reorganization for Administration Division	56,954	56,954	1.0
5. Reorganization for Civil Division	106,697	165,923	2.0
6. Reorganization for Victim Services Division	-	102,723	1.0
7. Reorganization for Youth Services Division	-	83,066	1.0
8. Litigation Recovery Fund Shortage	200,000	-	--
9. Pay Plan Shortfall	37,200	37,200	--
<i>Subtotal—Supplemental Requests Only</i>	<u>\$ 1,400,851</u>	<u>\$ 2,045,866</u>	<u>5.0</u>
10. Aid to Locals	-	7,824,351	--
11. Other Assistance	-	34,625,491	--
12. All Other Adjustments	-	<u>(1,295,954)</u>	<u>8.4</u>
<i>Subtotal—Agency Revised Estimate</i>	<u>\$ 11,072,451</u>	<u>\$ 81,955,154</u>	<u>200.2</u>
Governor's Recommendation:			
13. Supplementals Not Recommended	\$ (349,412)	\$ (208,638)	(2.0)
TOTAL	<u><u>\$ 10,723,039</u></u>	<u><u>\$ 81,746,516</u></u>	<u><u>198.2</u></u>

*Staff Note: This number represents both on- and off-budget FTE positions.

LEGISLATIVE APPROVED

Subsequent to the 2023 Session, one adjustments was made to the \$38.8 million appropriated to the Office of the Attorney General for FY 2024. This adjustment changes the current year approved amount without any legislative action required and includes the following:

1. **SGF REAPPROPRIATION.** The agency received an increase of \$216,280 SGF based on the reappropriation of FY 2023 funding that was not spent and has shifted to FY 2024.

AGENCY ESTIMATE

The **agency** submits a revised estimate of \$82.0 million, including \$11.1 million SGF, in on-budget expenditures in FY 2024. This is an all funds increase of \$43.2 million, or 111.5 percent, and an SGF increase of \$1.4 million, or 14.5 percent, above the FY 2024 approved amount.

The revised estimate includes \$2.0 million and 5.0 FTE positions for the following supplemental requests:

2. **MEDICAID FRAUD CONTROL UNIT FEDERAL MATCH.** The revised estimate includes \$600,000 SGF in supplemental funding for the state-required 25.0 percent match to continue to receive approximately \$2.0 million in federal funds in FY 2024.
3. **NATURAL GAS LITIGATION FUNDING.** The revised estimate includes \$1.0 million SGF in supplemental funding for the sole purpose of natural gas litigation in FY 2024.

4. **REORGANIZATION FOR ADMINISTRATION DIVISION.** The revised estimate includes \$56,954 SGF in supplemental funding and 1.0 FTE position for an Accounting Specialist who will support the accounting staff. This is the total amount for the salary and benefits of the position in FY 2024.
5. **REORGANIZATION FOR CIVIL DIVISION.** The revised estimate includes \$165,923 SGF in supplemental funding and 2.0 FTE positions in FY 2024. This amounts to the total salary and benefits for an Investigator in the Affirmation Civil Enforcement Unit (\$67,214) and a Special Agent in Charge in the Licensing and Inspection Unit (\$98,709).
6. **REORGANIZATION FOR VICTIM SERVICES DIVISION.** The revised estimate includes \$102,723, all from the Crime Victims Compensation Fund, in supplemental funding and 1.0 FTE position for the Associate Division Chief, who will primarily support the Crime Victims Compensation unit. This is the total amount for the salary and benefits of the position in FY 2024.
7. **REORGANIZATION FOR YOUTH SERVICES DIVISION.** The revised estimate includes \$83,066, all from federal funds, in supplemental funding and 1.0 FTE position for an Epidemiologist for the Child Death Review Board. This is the total amount for the salary and benefits of the position in FY 2024.
8. **LITIGATION RECOVERY FUND SHORTAGE.** The revised estimate includes \$200,000 SGF to recover funds due to a shortage in the Court Cost Fund in FY 2024. This amount is offset by decreased expenditures of \$200,000 from the Court Cost Fund.
9. **PAY PLAN SHORTFALL.** The revised estimate includes \$37,200 SGF in FY 2024 to account for a shortfall in appropriations for the Legislative Pay Plan in 2023 SB 25. The 2023 Legislature appropriated \$120.0 million, including \$46.0 million SGF, across all state agencies to provide salary adjustments for FY 2024 based on the Department of Administration Market Survey. This total amount was short by approximately \$11.8 million, including \$11.4 million SGF, statewide in FY 2024. To account for this, the State Finance Council prorated agency distribution of the available appropriations by approximately 20.0 percent. For the Office of the Attorney General, a supplemental appropriation of \$37,200 SGF in FY 2024 is required to achieve the intended effect of the Legislative Pay Plan in 2023 SB 25.

Absent the supplemental requests, the revised estimate includes an increase of \$41.2 million in base budget expenditures. Significant adjustments are as follows:

10. **AID TO LOCALS.** The revised estimate includes an increase of \$7.8 million in FY 2024. This includes an increase in expenditures from the Municipalities Fight Addiction Fund (\$7.8 million) and a decrease in expenditures from the Federal Forfeiture Fund (\$25,000).
11. **OTHER ASSISTANCE.** The revised estimate includes an increase of \$34.6 million, including \$17,136 SGF, in FY 2024. The increase is primarily attributable to increased expenditures from the Tort Claims Fund (\$11.3 million) and the Kansas Fights Addiction Fund (\$23.4 million).
12. **ALL OTHER ADJUSTMENTS.** The revised estimate includes a decrease of \$1.3 million throughout various expenditure categories, including salaries and wages (\$901,216), contractual services (\$329,320), commodities (\$21,165), and capital outlay (\$44,253).

The **agency's** estimate also includes 200.2 combined on- and off-budget FTE positions in FY 2024. This is an increase of 13.4 FTE positions above the FY 2024 approved number. This increase is attributable to the agency's supplemental requests and reorganization of the agency's programs.

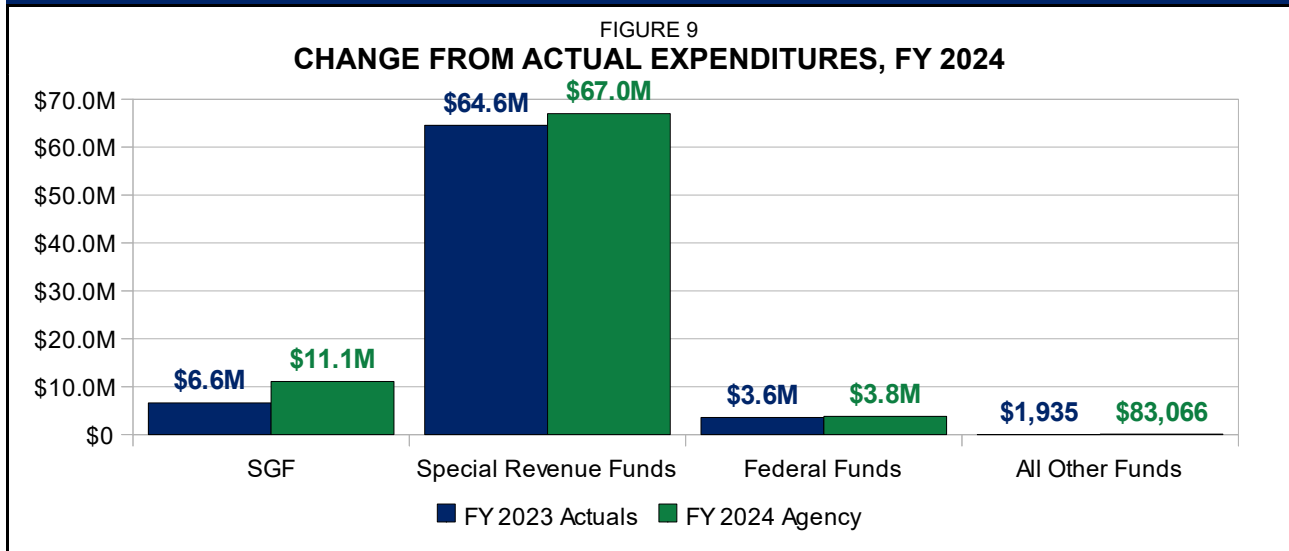
GOVERNOR'S RECOMMENDATION

The **Governor** recommends expenditures of \$81.7 million, including \$10.7 million SGF, and 198.2 FTE positions in FY 2024. This is an all funds decrease of \$208,638, or 0.3 percent, an SGF decrease of \$349,412, or 3.2 percent, and a decrease of 2.0 FTE positions below the agency's FY 2024 revised estimate.

The **Governor's** recommendation includes the following adjustments:

13. **SUPPLEMENTALS NOT RECOMMENDED.** The Governor does not recommend adoption of the following supplemental requests:
 - *REORGANIZATION FOR CIVIL DIVISION.* The Governor does not recommend \$165,923 SGF in supplemental funding and 2.0 FTE positions in FY 2024.
 - *LITIGATION RECOVERY FUND SHORTAGE.* The Governor does not recommend \$200,000 SGF in supplemental funding to recover funds due to a shortage in the Court Cost Fund in FY 2024.

FY 2024 CHANGE FROM ACTUAL EXPENDITURES



The **agency** estimates revised expenditures of \$82.0 million, including \$11.1 million SGF, in FY 2024. This is an all funds increase of \$7.2 million, or 9.7 percent, and an SGF increase of \$4.5 million, or 67.7 percent, above FY 2023 actual expenditures. This amount includes \$216,280 SGF of reappropriated funding that was not spent in FY 2023 and has shifted to FY 2024. Salaries and wages increased by \$3.5 million because of the 2023 Legislative Pay Plan increase, the filling of vacant positions, the reclassification of some non-FTE positions to FTE positions, and the restructuring of the agency.

The agency's revised estimate includes increased expenditures from the Tort Claims Fund in the amount of \$7.9 million, or 107.1 percent, above the FY 2023 actual amount. The increase is due to the inclusion of a \$15.2 million SGF transfer to the Tort Claims Fund. This is \$11.3 million, or 107.1 percent, above the FY 2024 approved amount and is due to \$11.3 million in tort claim payments having already been made in FY 2024.

The increase is partially offset by decreased expenditures of \$4.6 million from the Kansas Fights Addiction Fund because of grant awards in FY 2023 that will not reoccur in FY 2024, \$1.3 million from the Court Cost Fund due to the amount recovered from penalties and fees being lower than the previous fiscal year, and \$4.7 million in contractual services expenditures because of open purchase orders at the time the budget was submitted.

FY 2025 ANALYSIS

FIGURE 10

SUMMARY OF BUDGET REQUEST, FY 2025

	SGF	All Funds	FTE*
Agency Request:			
Request without Major Changes	\$ 9,516,507	\$ 79,357,676	195.2
Enhancement Requests:			
1. Medicaid Fraud Control Unit Federal Match	\$ -	\$ 600,000	--
2. Reorganization for Administration Division	59,673	59,673	1.0
3. Reorganization for Civil Division	112,738	173,485	2.0
4. Reorganization for Victim Services Division	-	103,663	1.0
5. Reorganization for Youth Services Division	-	87,952	1.0
6. Litigation Recovery Fund Shortage	900,000	-	--
7. VINE System Funding	300,000	300,000	--
<i>Subtotal—Enhancement Requests Only</i>	<i>\$ 1,372,411</i>	<i>\$ 1,324,773</i>	<i>5.0</i>
8. Aid to Locals	\$ -	\$ (5,671,802)	--
9. Other Assistance	-	(28,265,406)	--
<i>Subtotal—Agency Request</i>	<i>\$ 10,888,918</i>	<i>\$ 46,745,241</i>	<i>200.2</i>
Governor's Recommendation:			
10. Enhancements Not Recommended	\$ (1,012,738)	\$ (173,485)	(2.0)
TOTAL	\$ 9,876,180	\$ 46,571,756	198.2

* Staff Note: This number represents both on- and off-budget FTE positions.

AGENCY REQUEST

The agency requests \$46.7 million, including \$10.9 million SGF, for FY 2025. This is an all funds decrease of \$35.2 million, or 43.0 percent, and an SGF decrease of \$183,533, or 1.7 percent, below the agency's FY 2024 revised estimate.

The request includes \$1.3 million and 5.0 FTE positions for the following enhancement requests:

- MEDICAID FRAUD CONTROL UNIT FEDERAL MATCH.** The request adds \$600,000 SGF in enhancement funding to continue the state-required 25.0 percent match to receive approximately \$2.0 million in federal funds for FY 2025
- REORGANIZATION FOR ADMINISTRATION DIVISION.** The request adds \$59,673 SGF in enhancement funding and 1.0 FTE position for an Accounting Specialist who will support the accounting staff. This is the total amount for the salary and benefits of the position for FY 2025.
- REORGANIZATION FOR CIVIL DIVISION.** The request adds \$173,485 SGF in enhancement funding and 2.0 FTE positions for FY 2025. This amounts to the total salary and benefits for an Investigator in the Affirmation Civil Enforcement Unit (\$72,242) and a Special Agent in Charge in the Licensing and Inspection Unit (\$101,243).
- REORGANIZATION FOR VICTIM SERVICES DIVISION.** The request adds \$103,663, all from the Crime Victims Compensation Fund, in supplemental funding and 1.0 FTE position for the Associate Division Chief, who will primarily support the Crime Victims Compensation unit. This is the total amount for the salary and benefits of the position for FY 2025.

5. **REORGANIZATION FOR YOUTH SERVICES DIVISION.** The request adds \$87,952, all from federal funds, in enhancement funding and 1.0 FTE position for an Epidemiologist for the Child Death Review Board. This is the total amount for the salary and benefits of the position for FY 2025.
6. **LITIGATION RECOVERY FUND SHORTAGE.** The request adds \$900,000 SGF to recover funds due to a shortage in the Court Cost Fund for FY 2025. This amount is offset by decreased expenditures of \$900,000 from the Court Cost Fund.
7. **VINE SYSTEM FUNDING.** The request adds a \$300,000 SGF in enhancement funding for the Victim Information and Notification Everyday (VINE) system for FY 2025.

Absent the enhancement requests, the request includes a decrease of \$34.5 million in base budget expenditures. Significant adjustments are as follows:

8. **AID TO LOCALS.** The agency's request includes \$4.4 million in aid to locals expenditures for FY 2025. This is a decrease of \$5.7 million, or 56.5 percent, below the agency's FY 2024 revised estimate. The decrease is due to lower revenue estimates from opioid settlements for FY 2025.
9. **OTHER ASSISTANCE.** The agency's request includes \$19.0 million in other assistance expenditures for FY 2025. This is a decrease of \$28.3 million, or 59.7 percent, below the agency's FY 2024 revised estimate. This includes a decrease of \$17.0 million from the Kansas Fights Addiction Fund due to lower revenues from opioid settlements, and \$11.3 million from the Torts Claim Fund due to a transfer increase in FY 2024 that will not reoccur in FY 2025.

The **agency's** request also includes 200.2 combined on- and off-budget FTE positions for FY 2025. This is the same number as the agency's FY 2024 revised estimate.

GOVERNOR'S RECOMMENDATION

The **Governor** recommends expenditures of \$46.6 million, including \$9.9 million SGF, and 198.2 FTE positions for FY 2025. This is an all funds decrease of \$173,485, or 0.4 percent, an SGF decrease of \$1.0 million, or 9.3 percent, and decrease of 2.0 FTE positions below the agency's FY 2025 request.

The **Governor's** recommendation includes the following adjustments:

10. **ENHANCEMENTS NOT RECOMMENDED.** The Governor does not recommend adoption of the following supplemental requests:
 - *REORGANIZATION FOR CIVIL DIVISION.* The Governor does not recommend \$165,923 SGF in supplemental funding and 2.0 FTE positions in FY 2024.
 - *LITIGATION RECOVERY FUND SHORTAGE.* The Governor does not recommend \$900,000 SGF in supplemental funding to recover funds due to a shortage in the Court Cost Fund in FY 2024.

SUPPLEMENTAL AND ENHANCEMENT REQUESTS

FIGURE 11

SUPPLEMENTAL AND ENHANCEMENT REQUESTS, FY 2024 – FY 2025

Request	Agency			Governor		
	SGF	All Funds	FTE	SGF	All Funds	FTE
FY 2024 Supplementals:						
1. Medicaid Fraud Control Unit Federal Match	\$ -	\$ 600,000	--	\$ -	\$ 600,000	--
2. Natural Gas Litigation Funding	1,000,000	1,000,000	--	1,000,000	1,000,000	--
3. Reorganization for Administration Division	56,954	56,954	1.0	14,239	14,239	1.0
4. Reorganization for Civil Division	106,697	165,923	2.0	-	-	--
5. Reorganization for Victim Services Division	-	102,723	1.0	-	102,723	1.0
6. Reorganization for Youth Services Division	-	83,066	1.0	-	83,066	1.0
7. Litigation Recovery Fund Shortage	200,000	-	--	-	-	--
8. Pay Plan Shortfall	37,200	37,200	--	37,200	37,200	--
TOTAL	\$ 1,400,851	\$ 2,045,866	5.0	\$ 1,051,439	\$ 1,837,228	3.0
FY 2025 Enhancements:						
9. Medicaid Fraud Control Unit Federal Match	\$ -	\$ 600,000	--	\$ -	\$ 600,000	--
10. Reorganization for Administration Division	59,673	59,673	1.0	59,673	59,673	1.0
11. Reorganization for Civil Division	112,738	173,485	2.0	-	-	--
12. Reorganization for Victim Services Division	-	103,663	1.0	-	103,663	1.0
13. Reorganization for Youth Services Division	-	87,952	1.0	-	87,952	1.0
14. Litigation Recovery Fund Shortage	900,000	-	--	-	-	--
15. VINE System Funding	300,000	300,000	--	300,000	300,000	--
TOTAL	\$ 1,372,411	\$ 1,324,773	5.0	\$ 359,673	\$ 1,151,288	3.0

- MEDICAID FRAUD CONTROL UNIT FEDERAL MATCH.** The revised estimate includes \$600,000 SGF in supplemental funding for the state-required 25.0 percent match to continue to receive approximately \$2.0 million in federal funds in FY 2024.

The Governor recommends adoption of this request.

- NATURAL GAS LITIGATION FUNDING.** The revised estimate includes \$1.0 million SGF in supplemental funding for the sole purpose of natural gas litigation. The State is currently in two lawsuits related to alleged price manipulation before and during Winter Storm Uri (2021), for which the Office of the Attorney General is hiring experienced outside counsel. This amount is the current estimated budget for the litigation and is expected to be a one-time request. According to the Attorney General, if the litigation is successful, the funds would likely be paid back to taxpayers and the State.

The Governor recommends adoption of this request.

3. **REORGANIZATION FOR ADMINISTRATION DIVISION.** The revised estimate includes \$56,954 SGF in supplemental funding and 1.0 FTE position for an Accounting Specialist who will support the accounting staff. This is the total amount for the salary and benefits of the position in FY 2024.

The Governor recommends adoption of this request.

4. **REORGANIZATION FOR CIVIL DIVISION.** The revised estimate includes \$165,923 SGF in supplemental funding and 2.0 FTE positions in FY 2024. This amounts to the total salary and benefits for an Investigator in the Affirmation Civil Enforcement Unit (\$67,214) and a Special Agent in Charge in the Licensing and Inspection Unit (\$98,708).

The Governor does not recommend adoption of this request.

5. **REORGANIZATION FOR VICTIM SERVICES DIVISION.** The revised estimate includes \$102,723, all from the Crime Victims Compensation Fund, in supplemental funding and 1.0 FTE position for the Associate Division Chief, who will primarily support the Crime Victims Compensation unit. This is the total amount for the salary and benefits of the position in FY 2024.

The Governor recommends adoption of this request.

6. **REORGANIZATION FOR YOUTH SERVICES DIVISION.** The revised estimate includes \$83,066, all from federal funds, in supplemental funding and 1.0 FTE position for an Epidemiologist for the Child Death Review Board. This is the total amount for the salary and benefits of the position in FY 2024.

The Governor recommends adoption of this request through the time frame of the federal grant awarded for this position.

7. **LITIGATION RECOVERY FUND SHORTAGE.** The revised estimate includes \$200,000 SGF to recover funds due to a shortage in the Court Cost Fund in FY 2024. This amount is offset by decreased expenditures of \$200,000 from the Court Cost Fund. The agency notes that the balance in the Court Cost Fund has been on a steady decline since FY 2020. According to the agency, the fund supports, in part, many vital functions of the agency, including, but not limited to, salaries, rent, Office of Information Technology (OITS) expenditures, and agency infrastructure (hardware, software, and IT maintenance). Absent this enhancement, the agency states there would be unpaid expenditure obligations.

The Governor does not recommend adoption of this request.

8. **PAY PLAN SHORTFALL.** The revised estimate includes \$37,200 SGF in FY 2024 to account for a shortfall in appropriations for the Legislative Pay Plan in 2023 SB 25. The 2023 Legislature appropriated \$120.0 million, including \$46.0 million SGF, across all state agencies to provide salary adjustments for FY 2024 based on the Department of Administration Market Survey. This total amount was short by approximately \$11.8 million, including \$11.4 million SGF, statewide in FY 2024. To account for this, the State Finance Council prorated agency distribution of the available appropriations by approximately 20.0 percent. For the Office of the Attorney General, a supplemental appropriation of \$37,200 SGF in FY 2024 is required to achieve the intended effect of the Legislative Pay Plan in 2023 SB 25.

The Governor recommends adoption of this request.

9. **MEDICAID FRAUD CONTROL UNIT FEDERAL MATCH.** The request adds \$600,000 SGF in enhancement funding to continue the state-required 25.0 percent match to receive approximately \$2.0 million in federal funds for FY 2025.

The Governor recommends adoption of this request.

10. **REORGANIZATION FOR ADMINISTRATION DIVISION.** The request adds \$59,673 SGF in enhancement funding and 1.0 FTE position for an Accounting Specialist who will support the accounting staff. This is the total amount for the salary and benefits of the position for FY 2025.

The Governor recommends adoption of this request.

11. **REORGANIZATION FOR CIVIL DIVISION.** The request adds \$173,485 SGF in enhancement funding and 2.0 FTE positions for FY 2025. This amounts to the total salary and benefits for an Investigator in the Affirmation Civil Enforcement Unit (\$72,242) and a Special Agent in Charge in the Licensing and Inspection Unit (\$101,243).

The Governor does not recommend adoption of this request.

12. **REORGANIZATION FOR VICTIM SERVICES DIVISION.** The request adds \$103,663, all from the Crime Victims Compensation Fund, in supplemental funding and 1.0 FTE position for the Associate Division Chief, who will primarily support the Crime Victims Compensation unit. This is the total amount for the salary and benefits of the position for FY 2025.

The Governor recommends adoption of this request.

13. **REORGANIZATION FOR YOUTH SERVICES DIVISION.** The request adds \$87,952, all from federal funds, in enhancement funding and 1.0 FTE position for an Epidemiologist for the Child Death Review Board. This is the total amount for the salary and benefits of the position for FY 2025.

The Governor recommends adoption of this request through the time frame of the federal grant awarded for this position.

14. **LITIGATION RECOVERY FUND SHORTAGE.** The request adds a \$900,000 SGF to recover funds due to a shortage in the Court Cost Fund for FY 2025. This amount is offset by decreased expenditures of \$900,000 from the Court Cost Fund. The agency notes that the balance in the Court Cost Fund has been on a steady decline since FY 2020. According to the agency, the fund supports, in part, many vital functions of the agency, including, but not limited to, salaries, rent, OITS expenditures, and agency infrastructure (hardware, software, and IT maintenance). Absent this enhancement, the agency states there would be unpaid expenditure obligations.

The Governor does not recommend adoption of this request.

15. **VINE SYSTEM FUNDING.** The request adds \$300,000 SGF in enhancement funding for the VINE system for FY 2025. The system will be funded by a federal grant at KDHE through September 30, 2024. After that, funding will cease and VINE will have no support. VINE provides a vital safety resource for victims of crime, benefits all 105 Kansas counties, and is currently active in 94 county jails. (Eleven counties do not have active jail facilities.)

The Governor recommends adoption of this request.

PROGRAM OVERVIEW

FIGURE 12
EXPENDITURES AND FTE POSITIONS BY PROGRAM, FY 2023 – FY 2025

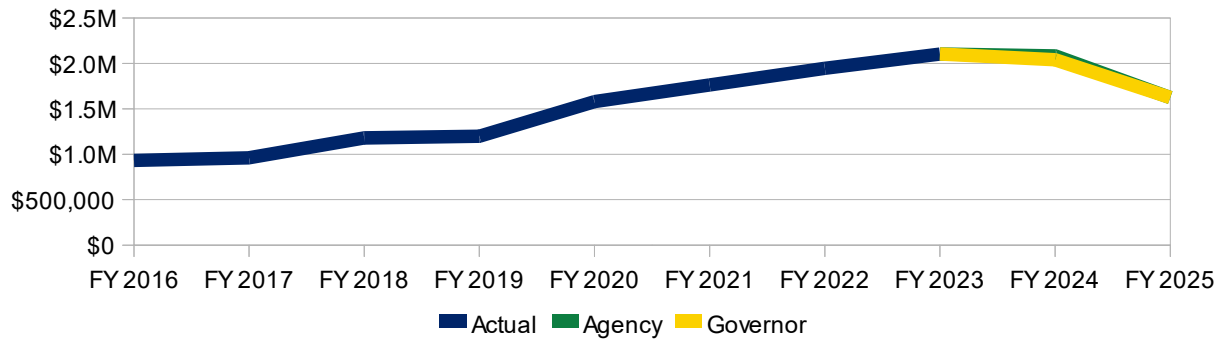
Programs	Actual FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
Expenditures:					
Administration Division	\$ 2,102,842	\$ 2,082,091	\$ 2,039,376	\$ 1,624,011	\$ 1,624,011
Solicitor's Division	1,311,398	1,971,687	1,971,687	1,941,231	1,941,231
Fraud and Abuse	51,390,667	46,707,279	46,707,279	24,299,188	24,299,188
Litigation Division					
Criminal Litigation	5,370,118	6,986,879	6,986,879	6,950,653	6,950,653
Legal Opinions and Government Counsel	490,831	530,699	530,699	551,575	551,575
Consumer Protection	3,127,361	3,760,802	3,760,802	2,657,139	2,657,139
Civil Protection	10,181,871	18,870,978	18,705,055	7,695,459	7,521,974
Office of the Medicaid Inspector General	754,775	1,044,739	1,044,739	1,025,985	1,025,985
TOTAL	\$ 74,729,863	\$ 81,955,154	\$ 81,746,516	\$ 46,745,241	\$ 46,571,756
FTE Positions:					
Administration Division	18.8	19.8	19.8	19.8	19.8
Solicitor's Division	14.6	14.6	14.6	14.6	14.6
Fraud and Abuse	13.0	14.0	14.0	14.0	14.0
Litigation Division					
Criminal Litigation	65.5	65.5	65.5	65.5	65.5
Legal Opinions and Government Counsel	5.5	6.5	6.5	6.5	6.5
Consumer Protection	24.0	24.0	24.0	24.0	24.0
Civil Protection	42.5	44.5	42.5	44.5	42.5
Office of the Medicaid Inspector General	8.6	8.6	8.6	8.6	8.6
Off-Budget	2.8	2.8	2.8	2.8	2.8
TOTAL	195.2	200.2	198.2	200.2	198.2

Staff Note: Due to agency restructuring, the program names, responsibilities, and expenditures may not align with the agency's current organization. This document reflects the agency's program data as submitted in Kansas Internet Budget and Reporting System for FY 2024 and FY 2025.

ADMINISTRATION DIVISION

FIGURE 13

ADMINISTRATION DIVISION EXPENDITURES, FY 2016 – FY 2025



STATUTORY BASIS: • *Kansas Constitution*, Article 1, Section 1; KSA 75-709, 75-710, 75-3111, 75-3717, 75-3729, 75-3736; 75-4701 *et seq.*; 75-5501 *et seq.*; 48-3701; and amendments thereto.

PROGRAM GOALS:

- To provide skilled and comprehensive administrative support to the Office of the Kansas Attorney General.
- To provide timely and accurate information to the Legislature and the public on legal matters affecting the state, and to provide for the effective servicing of citizen advisory groups.
- To maintain a website to provide citizens of the State of Kansas access to information about the Office of the Kansas Attorney General and the services it provides.
- To support the work of the Kansas Intelligence Fusion Center through providing appropriate oversight, legal counsel, and liaison with the law enforcement community.

The Administration Division is responsible for the accounting, budgeting, purchasing, information technology, and human resources functions for the agency. This program is also responsible for providing timely and accurate

information to the Legislature and the public on legal matters affecting the state, and providing for the effective servicing of citizen advisory groups.

FIGURE 14

ADMINISTRATION DIVISION FINANCING, FY 2023 – FY 2025

Fund	Actual FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
SGF	\$ 645,944	\$ 1,226,113	\$ 983,398	\$ 1,873,086	\$ 973,086
Federal Funds	272,567	200,000	200,000	200,000	200,000
All Other Funds	1,184,331	655,978	855,978	(449,075)	450,952
TOTAL	\$ 2,102,842	\$ 2,082,091	\$ 2,039,376	\$ 1,624,011	\$ 1,624,011
Percent Change:					
SGF	130,130.6 %	89.8 %	(19.8) %	52.8 %	(48.0) %
All Funds	8.1 %	(1.0) %	(2.1) %	(22.0) %	-- %
FTE Positions	18.8	19.8	19.8	19.8	19.8

BUDGET ANALYSIS

FY 2024

The **agency** requests \$2.1 million, including 1.2 million SGF, and 19.8 FTE positions for the Administration Division in FY 2024. This is an all funds decrease of \$65,892, or 3.1 percent, and an SGF increase of \$1.2 million, or 100.0 percent, from the FY 2024 approved amount. The overall decrease is primarily due to reduced expenditures from the Court Cost Fee Fund, due to the amount recovered from penalties and fees being lower than the previous fiscal year, and the Medicaid Fraud Prosecution Revolving Fund. This is partially offset by the agency's supplemental requests for \$200,000 SGF to recover funds because of a shortage in the Court Cost Fund, \$600,000 SGF in supplemental funding for the state-required 25.0 percent match for federal funds, and for supplemental funding and 1.0 FTE position for an Accounting Specialist.

The **Governor** recommends expenditure of \$2.0 million, all from special revenue funds, and 19.8 FTE positions for the Administration Division in FY 2024. This is a decrease of \$42,715, or 2.1 percent, below the agency's revised estimate. The decrease is due to the Governor not recommending the agency's supplemental request for \$200,000 SGF to

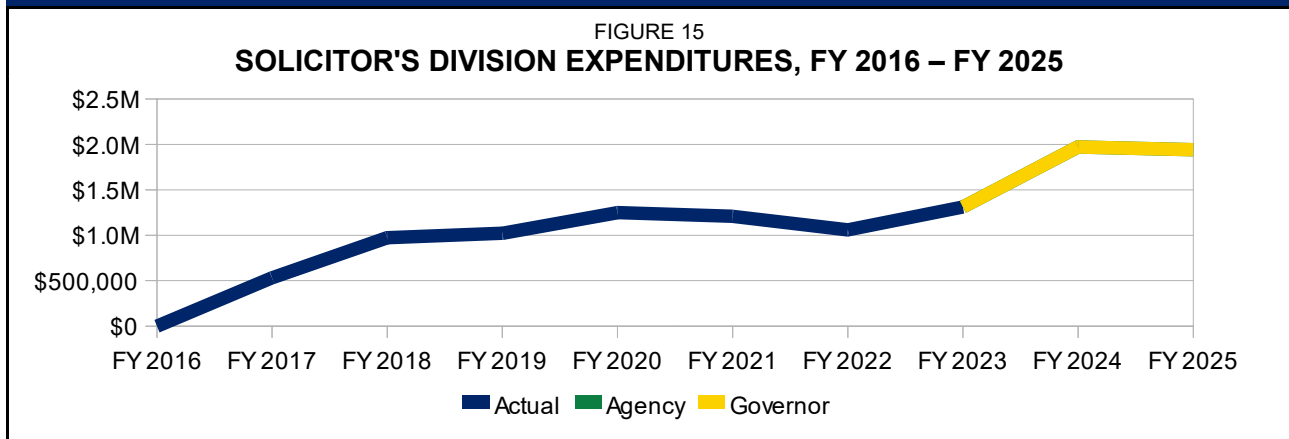
recover funds because of a shortage in the Court Cost Fund.

FY 2025

The **agency** requests \$1.6 million, including \$9.9 million SGF, and 19.8 FTE positions for the Administration Division for FY 2025. This is an all funds decrease of \$458,080, or 22.0 percent, and an SGF increase of \$646,973, or 52.8 percent, from the agency's FY 2024 revised estimate. The overall decrease is primarily due to reduced expenditures from the Court Cost Fund, which is partially offset but the agency's enhancement request of \$900,000 SGF to recover funds because of a shortage in the Court Cost Fund.

The **Governor** recommends expenditures of \$1.6 million, all from special revenue funds, and 19.8 FTE positions for the Administration Division for FY 2025. This includes a \$900,000 special revenue fund increase, and an SGF decrease of the same amount, due to the Governor not recommending the agency's enhancement for Court Cost Fund funding replacement.

SOLICITOR'S DIVISION



- STATUTORY BASIS:** • KSA 22-3612, 60-1501, 60-1507, 75-105, 75-702, 75-704, 75-710, 75-764, 75-6108, 75-6116.
- PROGRAM GOALS:**
- Build and sustain a team of appellate attorneys that can efficiently, effectively, and ethically represent the State of Kansas in civil appeals before state and federal appellate courts.
 - Contract with County and District Attorneys around the state; build, deploy, and sustain a team of appellate attorneys that can efficiently, effectively, and ethically represent the State of Kansas in criminal direct appeals and collateral appeals before state and federal appellate courts to achieve efficiency and uniformity.
 - Review notices of Constitutional challenges.
 - Support the traditional role of the Attorney General in providing the Governor advice about the legal sufficiency of extradition documents and, when requested by the Governor, investigate demands made upon the Governor by the executive authorities of other states for the surrender of a person in this state who has been charged with a crime in another state.
 - Research and issue written legal opinions requested by legislators, public agencies, and other officials.

The Solicitor's Division was created in FY 2017 as a free-standing division within the Office of the Attorney General. Currently, there are six programs within the Division: Civil

Appeals (with four subprograms), Criminal Appeals, Contracted County Criminal Appeals, Review of Notices of Constitutional Challenges, Extraditions, and Attorney General Opinions.

FIGURE 16
SOLICITOR'S DIVISION FINANCING, FY 2023 – FY 2025

Fund	Actual FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
SGF	\$ 730,409	\$ 1,038,452	\$ 1,038,452	\$ 1,025,539	\$ 1,025,539
Federal Funds	2,755	-	-	-	-
All Other Funds	578,234	933,235	933,235	915,692	915,692
TOTAL	\$ 1,311,398	\$ 1,971,687	\$ 1,971,687	\$ 1,941,231	\$ 1,941,231
Percent Change:					
SGF	6.2 %	42.2 %	-- %	(1.2) %	-- %
All Funds	23.8 %	50.4 %	-- %	(1.5) %	-- %
FTE Positions	14.6	14.6	14.6	14.6	14.6

BUDGET ANALYSIS

FY 2024

The **agency** requests \$2.0 million, including 1.0 million SGF, and 14.6 FTE positions for the Solicitor's Division in FY 2024. This is an all funds increase of \$455,307, or 30.0 percent, and an SGF increase of \$413,551, or 66.2 percent, above the FY 2024 approved amount. The overall increase is primarily due to salary and wages increases of \$449,405, or 35.0 percent, because of the agency restructuring and the reclassification of FTE positions.

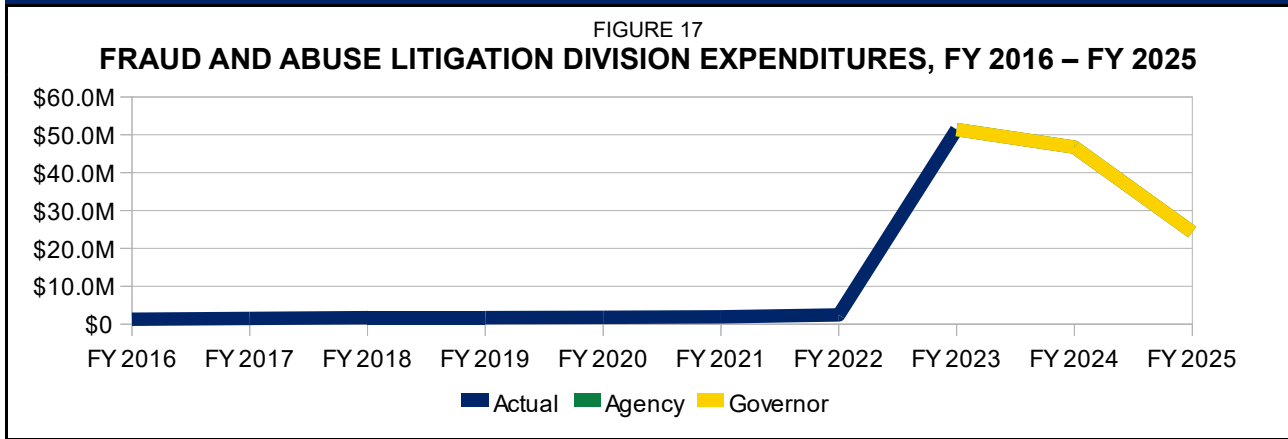
The **Governor** concurs with the agency's FY 2024 revised estimate.

FY 2025

The **agency** requests \$1.9 million, including \$1.0 million SGF, and 14.6 FTE positions for the Solicitor's Division for FY 2025. This is an all funds decrease of \$30,456, or 1.5 percent, and an SGF increase of \$12,913, or 1.2 percent, below the agency's FY 2024 revised estimate. The overall decrease is primarily due to capital outlay expenditures, such as computers, software, and information processing equipment, in FY 2024 that do not reoccur for FY 2025.

The **Governor** concurs with the agency's FY 2025 request.

FRAUD AND ABUSE LITIGATION DIVISION



STATUTORY BASIS: • KSA 22-2202(q), 75-702, 75-704, 75-708, 75-721, 75-723.

PROGRAM GOALS:

- Provide efficient, effective, and ethical enforcement of the applicable criminal statutes pertaining to general white-collar crimes, insurance fraud, securities fraud, and cases generated by the Kansas Department of Revenue.
- Participate in the review, referral, investigation, prevention, and prosecution of abuse, neglect, and exploitation cases involving adults.
- Develop and maintain a coordinated response to prevent serious harm and deaths of vulnerable adults.
- Provide training and resources for Kansas school-based police to reduce victimization of youth and help ensure a safer environment for the youth of Kansas.

The Fraud and Abuse Litigation Division is responsible for the requirements of KSA 75-723, which allow for the Attorney General to assist in the investigation and prosecution of cases involving abuse, neglect, or exploitation of adults, as well as cases involving a financial component. This division serves as a statewide resource for local authorities in investigating and prosecuting such cases. This division also provides for education for lawyers, law enforcement, and the general public.

The 2017 Legislature relocated existing prosecution resources from the Office of the Securities Commissioner and the Kansas Insurance Department to the Office of the Attorney General. These resources are now located within the Fraud and Abuse Litigation Division.

The 2022 Legislature passed 2022 SB 84, amending the Kansas Expanded Lottery Act concerning sports wagering. The bill created the White Collar Crime Fund, to be administered by the Governor and to be expended only for the purpose of investigating and prosecuting:

- Criminal offenses involving or facilitated by:

- The use of funds derived from illegal activity to make wagers;
- Placing wagers to conceal money derived from illegal activity;
- The use of other individuals to place wagers as part of any wagering scheme to circumvent any provision of federal or state law;
- The use of false identification to facilitate the placement of any wager or the collection of any prize in violation of federal or state law;
- Any other unlawful activity involving or facilitated by the placing of wagers;
- Any other violation of the Kansas Expanded Lottery Act; or
- Any financial or economic crime involving any unauthorized gambling.

The Attorney General is required to submit requests to the Governor for the necessary funding to carry out these purposes.

FIGURE 18
FRAUD AND ABUSE LITIGATION DIVISION FINANCING, FY 2023 – FY 2025

Fund	Actual FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
SGF	\$ 1,393,800	\$ 1,439,338	\$ 1,439,338	\$ 1,723,320	\$ 1,723,320
Federal Funds	1,344,283	1,243,900	1,243,900	1,243,900	1,243,900
All Other Funds	48,652,584	44,024,041	44,024,041	21,331,968	21,331,968
TOTAL	\$ 51,390,667	\$ 46,707,279	\$ 46,707,279	\$ 24,299,188	\$ 24,299,188
Percent Change:					
SGF	285.4 %	42.2 %	-- %	19.7 %	-- %
All Funds	3,604.3 %	(9.1) %	-- %	(48.0) %	-- %
FTE Positions	13.0	14.0	14.0	14.0	14.0

BUDGET ANALYSIS

FY 2024

The **agency** requests \$46.7 million, including 1.4 million SGF, and 14.0 FTE positions for the Fraud and Abuse Litigation Division in FY 2024. This is an all funds increase of \$44.7 million, or 2,281.5 percent, and an SGF increase of \$1.1 million, or 276.8 percent, above the FY 2024 approved amount. The overall increase is primarily due to agency restructuring.

According to the agency, the Fraud and Abuse Litigation Division was moved under the Criminal Division and renamed the Economic Crimes section.

The **Governor** concurs with the agency's FY 2024 revised estimate.

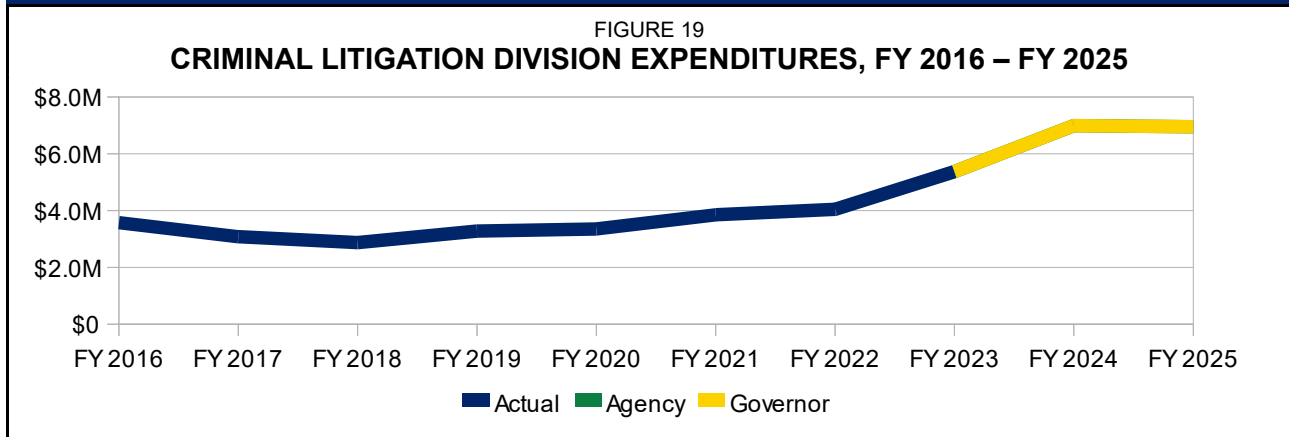
FY 2025

The **agency** requests \$24.3 million, including \$1.7 million SGF, and 14.0 FTE positions for the Fraud and Abuse Litigation Division for FY 2025. This is an all funds decrease of \$22.4 million, or 48.0 percent, and an SGF increase of \$283,982, or 19.7 percent, below the agency's FY 2024 revised estimate. The overall increase is primarily due to agency restructuring.

According to the agency, the Fraud and Abuse Litigation Division was moved under the Criminal Division and renamed the Economic Crimes section.

The **Governor** concurs with the agency's FY 2025 request.

CRIMINAL LITIGATION DIVISION



STATUTORY BASIS: • *Kansas Constitution*, Article 1, Section 1, KSA 22-2202(r), 75-702, 75-704, 75-708

- PROGRAM GOALS:**
- Build and sustain a group of highly skilled prosecutors who can efficiently, effectively, and ethically prosecute persons charged with violations of Kansas criminal law.
 - Support law enforcement-related investigations in accordance with the Kansas Attorney General's statutory and constitutional duties.

The Criminal Litigation Division is responsible for providing legal advice, support, and aid to Kansas counties and district attorneys prosecuting those charged with violating the Kansas Criminal Code. This division also sustains appellate attorneys representing the State in criminal direct appeals and collateral appeals before state and federal appellate courts. Additionally, this division provides representation for the State in civil commitment proceedings for those deemed to be sexually violent predators. This division investigates complaints of abuse of children processed in

the Kansas Department for Aging and Disability Services and the Kansas Department of Corrections. Other duties of this division include establishing sharing agreements to receive revenues from federal forfeiture cases; investigating and licensing applicants for concealed carry weapons; providing licensing services and maintaining information on persons and agencies, such as private detectives; and maximizing the use of the Kansas Intelligence Fusion Center, which produces intelligence analysis of terrorism threats, biological threats, and cyber-warfare.

FIGURE 20
CRIMINAL LITIGATION DIVISION FINANCING, FY 2023 – FY 2025

Fund	Actual FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
SGF	\$ 1,862,578	\$ 2,549,044	\$ 2,549,044	\$ 2,390,607	\$ 2,390,607
Federal Funds	1,871,915	2,331,238	2,331,238	2,298,857	2,298,857
All Other Funds	1,635,625	2,106,597	2,106,597	2,261,189	2,261,189
TOTAL	\$ 5,370,118	\$ 6,986,879	\$ 6,986,879	\$ 6,950,653	\$ 6,950,653
Percent Change:					
SGF	(12.4) %	36.9 %	-- %	(6.2) %	-- %
All Funds	32.8 %	30.1 %	-- %	(0.5) %	-- %
FTE Positions	65.5	65.5	65.5	65.5	65.5

BUDGET ANALYSIS

FY 2024

The **agency** requests \$7.0 million, including \$2.5 million SGF, and 65.5 FTE positions for the

Criminal Litigation Division in FY 2024. This is an all funds increase of \$2.7 million, or 61.1 percent, and an SGF decrease of \$1.1 million,

or 29.7 percent, from the FY 2024 approved amount. The changes in expenditures are primarily due to agency restructuring.

According to the agency, the restructured Criminal Division is composed of the following sections: Major Crimes; Medicaid Fraud Control; Victims' Rights Coordination; and Economic Crimes.

The **Governor** concurs with the agency's FY 2024 revised estimate.

FY 2025

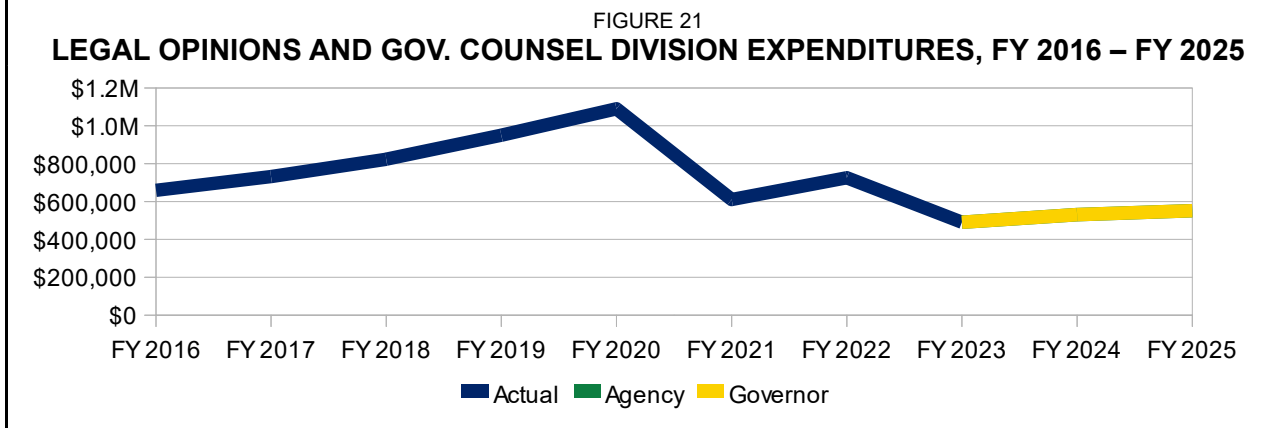
The **agency** requests \$7.0 million, including \$2.4 million SGF, and 65.5 FTE positions for the

Criminal Litigation Division for FY 2025. This is an all funds decrease of \$36,226, or 0.5 percent, and an SGF decrease of \$158,437, or 6.2 percent, below the agency's FY 2024 revised estimate. The changes in expenditures are primarily due to agency restructuring.

According to the agency, the restructured Criminal Division is composed of the following sections: Major Crimes; Medicaid Fraud Control; Victims' Rights Coordination; and Economic Crimes.

The **Governor** concurs with the agency's FY 2025 request.

LEGAL OPINIONS AND GOV. COUNSEL DIVISION



STATUTORY BASIS: • KSA 10-108, 22-4606 *et seq.*, 41-201, 45-216, 45-218, 75-4317, 75-704, 75-750, 75-761, 75-769, 77-701 *et seq.*

- PROGRAM GOALS:**
- Provide formal written opinions to the Legislature, Governor, Secretary of State, State Board of Education, Commissioner of Insurance, and other public officials that may settle a question of law or provide a certain and uniform method of analyzing a legal question in an unbiased manner.
 - Provide County and District Attorneys with consultation and advice in all matters pertaining to their official duties.
 - Research and issue written legal opinions requested by legislators, public agencies, and officials.
 - Annually update guidelines to assist state agencies in evaluating proposed governmental actions and in determining whether such actions may constitute a taking.
 - Respond to inquiries of the public, as directed by Administration, by providing information and directing individuals to appropriate public agencies or private entities for assistance as needed.

The Legal Opinions and Gov. Counsel Division is responsible for researching and issuing written legal opinions requested by legislators, public agencies, and other officials; reviewing new and amended proposed agency rules and regulations; and reviewing bond issue and temporary note transcripts and easements, special assessments, deeds, and leases on state property. This division also serves as general counsel to 30 state agencies, boards,

and commissions that have no in-house counsel. This division is also responsible for providing public education and training on the Kansas Open Meetings Act (KOMA) and the Kansas Open Records Act (KORA). In addition, this division is responsible for investigating potential violations of the Kansas Architectural Accessibility Act. This division recently assumed responsibility for the Racial or Other Bias-Based Policing duties of the Attorney General.

FIGURE 22
LEGAL OPINIONS AND GOV. COUNSEL DIVISION FINANCING, FY 2023 – FY 2025

Fund	Actual FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
SGF	\$ 218,429	\$ 275,778	\$ 275,778	\$ 363,104	\$ 363,104
Federal Funds	62,752	29,442	29,442	30,534	30,534
All Other Funds	209,650	142,413	142,413	69,985	69,985
TOTAL	\$ 490,831	\$ 447,633	\$ 447,633	\$ 463,623	\$ 463,623
Percent Change:					
SGF	(21.4) %	26.3 %	-- %	31.7 %	-- %
All Funds	(32.3) %	(8.8) %	-- %	3.6 %	-- %
FTE Positions	5.5	6.5	6.5	6.5	6.5

BUDGET ANALYSIS

According to the agency, this program is under the Civil Division of the Office of the Kansas Attorney General, which is composed of four Sections or Units, each of which has its own missions and programs. These subdivisions are: Civil Defense Litigation Section; Affirmative Civil Enforcement Unit; Legal Oversight and Government Counsel Section; and the Licensing and Inspections Unit.

FY 2024

The **agency** requests \$447,663 including \$275,778 SGF, and 6.48 FTE positions for the Legal Opinions and Gov. Counsel Division in FY 2024. This is an all funds decrease of \$475,668, or 47.3 percent, and an SGF decrease of \$328,825, or 54.4 percent, below the FY 2024 approved amount. The decrease in

expenditures is primarily due to agency restructuring and enhancement requests.

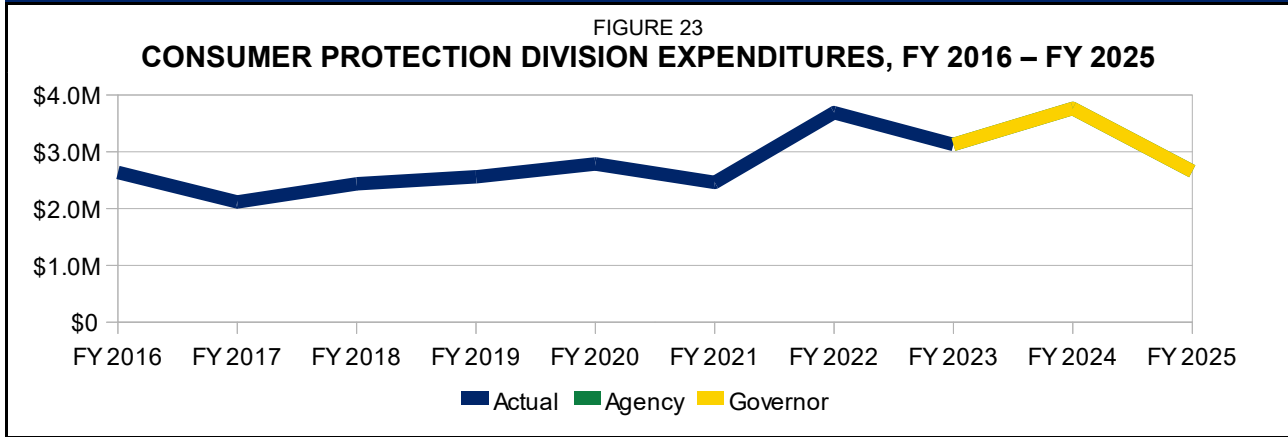
The **Governor** concurs with the agency's FY 2024 revised estimate.

FY 2025

The **agency** requests \$463,623, including \$363,104 SGF, and 6.5 FTE positions for the Legal Opinions and Gov. Counsel Division for FY 2025. This is an all funds increase of \$20,876, or 3.9 percent, and an SGF increase of \$87,326, or 31.7 percent, above the agency's FY 2024 revised estimate. The changes in expenditures are primarily due to agency restructuring and enhancement requests.

The **Governor** concurs with the agency's FY 2025 request.

CONSUMER PROTECTION DIVISION



- STATUTORY BASIS:** • KSA 50-623 through 50-643, 50-6,121 *et seq.*, 50-6,109 *et seq.*
- PROGRAM GOALS:**
- Provide efficient, effective, and ethical enforcement of the Kansas Consumer Protection Act and other state and federal consumer protection laws.
 - Provide efficient and effective education of the public, law enforcement officials, legal profession, and providers of goods and services on issues related to consumer protection laws.
 - Investigate and recommend for prosecution any violation of the Roofing Registration Act.
 - Enforce the Scrap Metal Theft Reduction Act through suspension and revocation of registration certificates.
 - Provide efficient, effective, and ethical enforcement of state and federal antitrust laws on antitrust matters referred to the OAG, and ensure each allegation is examined by an Assistant Attorney General and that appropriate action is taken.

The Consumer Protection Division is responsible for safeguarding the citizens of Kansas by educating consumers and businesses and providing efficient, effective, and ethical enforcement of the Kansas Consumer Protection Act; the Kansas Charitable Organizations and Solicitations Act;

state and federal antitrust laws; racial or other bias-based policing laws; the Kansas False Claims Act; the Kansas Roofing Registration Act; the Kansas No-Call Act; and criminal statutes that are tied to consumer complaints, including identity theft and financial elder abuse.

FIGURE 24
CONSUMER PROTECTION DIVISION FINANCING, FY 2023 – FY 2025

Fund	Actual FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
SGF	\$ 477,670	\$ 1,580,592	\$ 1,580,592	\$ 589,549	\$ 589,549
Federal Funds	-	-	-	-	-
All Other Funds	2,649,691	2,180,210	2,180,210	2,067,590	2,067,590
TOTAL	\$ 3,127,361	\$ 3,760,802	\$ 3,760,802	\$ 2,657,139	\$ 2,657,139
Percent Change:					
SGF	542.2 %	230.9 %	-- %	(62.7) %	-- %
All Funds	(15.2) %	20.3 %	-- %	(29.3) %	-- %
FTE Positions	24.0	24.0	24.0	24.0	24.0

BUDGET ANALYSIS

Many of this program’s responsibilities are now within the Public Protection Division. This Division is responsible for safeguarding the

citizens of Kansas by educating consumers and businesses and providing efficient, effective, and ethical enforcement of consumer protection

laws, including: the Kansas Consumer Protection Act; the Kansas Charitable Organizations and Solicitations Act; the Kansas False Claims Act; the Kansas Roofing Registration Act; the Kansas Wayne Owen Act; the Kansas No-Call Act; the unauthorized practice of law statutes; consumer information data protection laws; and state and federal antitrust laws.

The Division also reviews and approves trustee accountings for charitable trusts, investigates complaints alleging violation of KOMA and KORA, and prosecutes KOMA and KORA violations when appropriate.

The Division handles all pre-commitment and post-commitment proceedings under the Kansas Sexually Violent Predator Act.

FY 2024

The **agency** requests \$3.8 million, including \$1.6 million SGF, and 24.0 FTE positions for the

Consumer Protection Division in FY 2024. This is an all funds decrease of \$7.6 million, or 67.0 percent, and an SGF increase of \$1.2 million, or 268.2 percent, from the FY 2024 approved amount. The change in expenditures is primarily due to agency restructuring and enhancement requests.

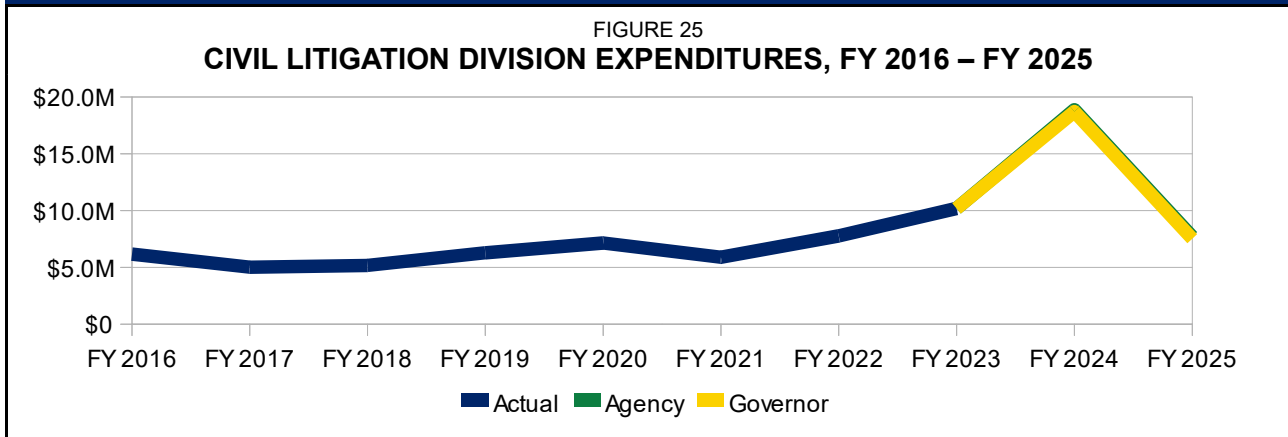
The **Governor** concurs with the agency's FY 2024 revised estimate.

FY 2025

The **agency** requests \$2.7 million, including \$589,549 SGF, and 24.0 FTE positions for the Consumer Protection Division for FY 2025. This is an all funds decrease of \$1.1 million, or 29.3 percent, and an SGF decrease of \$991,043, or 62.7 percent, below the agency's FY 2024 revised estimate. The changes in expenditures are primarily due to agency restructuring.

The **Governor** concurs with the agency's FY 2025 request.

CIVIL LITIGATION DIVISION



STATUTORY BASIS: • KSA 60-4109 *et seq.*, 59-29a01 *et seq.*, 75-702, 75-6108, 75-6117, 50-6A01 *et seq.*, 45-215 *et seq.*, 45-222, 45-251, 75-4320 *et seq.*

- PROGRAM GOALS:**
- Through sharing agreements, receive revenues derived from federal forfeiture cases with a state nexus to improve Assistant Attorney General and Appellate Attorney competency, and build the capability to effectively and efficiently present cases to juries through acquisition and use of quality equipment.
 - Provide efficient, effective, and ethical legal representation on behalf of the State of Kansas in civil commitment proceeding for the extremely dangerous class of individuals determined to be sexually violent predators.
 - In the defense of the State and/or its agencies and employees, ensure that every action or threatened action is responded to in a timely manner.

The Civil Litigation Division is responsible for providing for the defense of the State of Kansas and its agencies and employees in civil matters contested before Kansas or federal courts and before administrative agencies. This division is also responsible for carrying out the Attorney General's administration of the Kansas Tort Claims Fund and for providing or arranging for the defense of civil actions or proceedings against covered persons and entities. This division also acts as counsel for numerous smaller state agencies in disciplinary and licensure matters under the Kansas

Administrative Procedure Act or the Kansas Judicial Review Act. Among other duties assigned to this division are enforcement of the 1999 Tobacco Master Settlement Agreement, providing review and approval of trustee accounting for charitable trusts, providing assistance to state agencies involved in bankruptcy matters to protect against the discharge of debts owed to state government, and reviewing applications for the placement of tribal-owned land into trust with the federal government.

FIGURE 26

CIVIL LITIGATION DIVISION FINANCING, FY 2023 – FY 2025

Fund	Actual FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
SGF	\$ 519,980	\$ 1,918,395	\$ 1,811,698	\$ 1,923,045	\$ 1,810,307
Federal Funds	-	-	-	-	-
All Other Funds	9,661,891	16,952,583	16,893,357	5,772,414	5,711,667
TOTAL	\$ 10,181,871	\$ 18,870,978	\$ 18,705,055	\$ 7,695,459	\$ 7,521,974
Percent Change:					
SGF	(27.5) %	268.9 %	(5.6) %	0.2 %	(5.9) %
All Funds	31.1 %	85.3 %	(0.9) %	(59.2) %	(2.3) %
FTE Positions	42.5	44.5	42.5	44.5	42.5

BUDGET ANALYSIS

Many of this program’s responsibilities are now within the the Civil Division of the Office of the Kansas Attorney General, which is composed of four Sections or Units, each of which has its own missions and programs. These subdivisions are: Civil Defense Litigation Section; Affirmative Civil Enforcement Unit; Legal Oversight and Government Counsel Section; and the Licensing and Inspections Unit.

FY 2024

The **agency** requests \$18.9 million, including \$1.9 million SGF, and 44.5 FTE positions for the Civil Litigation Division in FY 2024. This is an all funds increase of \$13.6 million, or 258.2 percent, and an SGF increase of \$1.8 million, or 71.8 percent, from the FY 2024 approved amount. The change in expenditures is primarily due to agency restructuring and enhancement requests.

The **Governor** recommends \$18.7 million, including \$1.8 million SGF, and 42.5 FTE positions for the Civil Litigation Division in FY 2024. This is an all funds decrease of \$165,923, or 0.9 percent, and an SGF decrease of \$106,697, or 5.6 percent, below the agency's FY 2024 revised estimate. The decrease in expenditures and FTE positions is due to the Governor not recommending \$165,923 SGF in

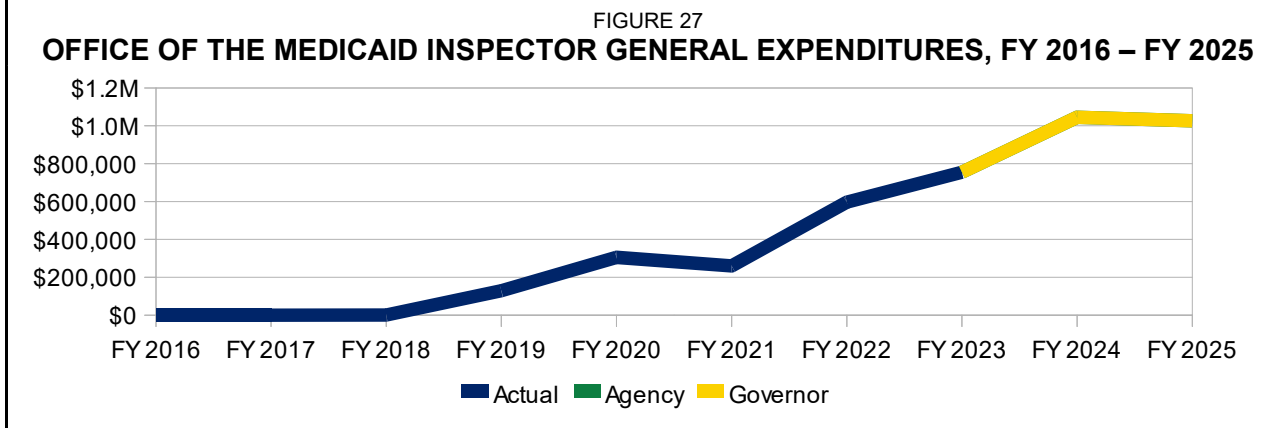
supplemental funding and 2.0 FTE positions for an Investigator in the Affirmation Civil Enforcement Unit (\$67,214) and a Special Agent in Charge in the Licensing and Inspection Unit (\$98,708).

FY 2025

The **agency** requests \$7.7 million, including \$1.9 million SGF, and 44.5 FTE positions for the Civil Litigation Division for FY 2025. This is an all funds decrease of \$11.2 million, or 59.2 percent, and an SGF increase of \$4,650, or 0.2 percent, from the FY 2024 approved amount. The change in expenditures is primarily due to agency restructuring and enhancement requests.

The **Governor** recommends \$7.5 million, including \$1.8 million SGF, and 42.5 FTE positions for the Civil Litigation Division for FY 2025. This is an all funds decrease of \$173,485, or 2.3 percent, and an SGF decrease of \$112,738, or 5.9 percent, below the agency's FY 2024 revised estimate. The decrease in expenditures and FTE positions is due to the Governor not recommending \$173,485 SGF in enhancement funding and 2.0 FTE positions for an Investigator in the Affirmation Civil Enforcement Unit (\$72,242) and a Special Agent in Charge in the Licensing and Inspection Unit (\$101,243).

OFFICE OF THE MEDICAID INSPECTOR GENERAL



STATUTORY BASIS: • KSA 75-7427

PROGRAM GOALS:

- Establish a full-time program of audit, investigation, and performance review to provide increased accountability, integrity, and oversight to the state Medicaid program, the state MediKan program, and the state Children's Health Insurance Program, and to assist in improving agency and program operations.
- Staff an office, independent of the state Medicaid agency (Kansas Department of Health and Environment, Division of Health Care Finance), that will develop and implement specific procedures to effectively and efficiently audit, investigate, and provide performance reviews to increase accountability, integrity, and oversight of the state Medicaid agency programs.

The Office of the Medicaid Inspector General is responsible for meeting the duties given to the Medicaid Inspector General, pursuant to KSA 75-7427. Those responsibilities include establishing a full-time program of audit, investigation, and performance review to provide increased accountability, integrity, and oversight of the state Medicaid program, the state MediKan program, and the state Children's Health Insurance Program. The

Office also assists in improving agency and program operations and in deterring and identifying fraud, waste, abuse, and illegal acts.

The 2017 Legislature transferred the Office of the Medicaid Inspector General from the Kansas Department of Health and Environment to the Office of the Attorney General, pursuant to 2017 SB 149.

FIGURE 28

OFFICE OF THE MEDICAID INSPECTOR GENERAL FINANCING, FY 2023 – FY 2025

Fund	Actual FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
SGF	\$ 754,027	\$ 1,044,739	\$ 1,044,739	\$ 1,000,668	\$ 1,000,668
Federal Funds	-	-	-	-	-
All Other Funds	748	-	-	25,317	25,317
TOTAL	\$ 754,775	\$ 1,044,739	\$ 1,044,739	\$ 1,025,985	\$ 1,025,985
Percent Change:					
SGF	26.4 %	38.6 %	-- %	(4.2) %	-- %
All Funds	26.4 %	38.4 %	-- %	(1.8) %	-- %
FTE Positions	8.6	8.6	8.6	8.6	8.6

BUDGET ANALYSIS

FY 2024

The **agency** requests \$1.0 million SGF and 8.6 FTE positions for the Office of the Medicaid Inspector General in FY 2024. This is an all funds decrease of \$94,344, or 8.3 percent, and an SGF increase of \$49,170, or 4.9 percent, from the FY 2024 approved amount. This decrease is attributable to salaries and wages, including fringe benefits.

The **Governor** concurs with the agency's FY 2024 revised estimate.

FY 2025

The **agency** requests \$1.0 million, including \$1.0 million SGF, and 8.6 FTE positions for the Office of the Medicaid Inspector General for FY 2025. This is an all funds decrease of \$18,754, or 1.8 percent, and an SGF decrease of \$44,071, or 4.2 percent, from the FY 2024 approved amount. The change in expenditures is primarily due to capital outlay expenditures from FY 2024 that do not reoccur for FY 2025.

The **Governor** concurs with the agency's FY 2025 request.