

SENATE BILL No. 307

By Committee on Ways and Means

3-9

1 AN ACT concerning the Kansas fights addiction act; relating to
2 definitions; adding for-profit private entities to the definition of
3 "qualified applicant"; amending K.S.A. 2022 Supp. 75-776 and
4 repealing the existing section.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2022 Supp. 75-776 is hereby amended to read as
8 follows: 75-776. As used in K.S.A. 2022 Supp. 75-775 through 75-781,
9 and amendments thereto:

10 (a) "Act" means the Kansas fights addiction act.

11 (b) "Covered conduct" means any conduct covered by opioid
12 litigation that resulted in payment of moneys into the Kansas fights
13 addiction fund.

14 (c) "Defendant" means a defendant or putative defendant in any
15 opioid litigation.

16 (d) "Moneys that are received" includes damages, penalties, attorney
17 fees, costs, disbursements, refunds, rebates or any other monetary payment
18 made or paid by any defendant by reason of any judgment, consent decree
19 or settlement, after payment of any costs or fees allocated by court order.

20 (e) "Municipality" means the same as defined in K.S.A. 75-6102, and
21 amendments thereto.

22 (f) "Opioid litigation" means any civil lawsuit, demand or settlement,
23 including any settlement in lieu of litigation, alleging unlawful conduct in
24 the manufacturing, marketing, distribution, prescribing or other use of
25 opioid medications and asserting or resolving claims of the state or any
26 municipality.

27 (g) "Qualified applicant" means any state entity, municipality~~or~~, not-
28 for-profit private entity *or for-profit private entity* that provides services
29 for the purpose of preventing, reducing, treating or otherwise abating or
30 remediating substance abuse or addiction and that has released its legal
31 claims arising from covered conduct against each defendant that is
32 required by opioid litigation to pay into the fund.

33 (h) "State" means the state of Kansas, including any agency or
34 official thereof.

35 (i) "Sunflower foundation" means the sunflower foundation: health
36 care for Kansas, established pursuant to the settlement agreement entered

1 into by the attorney general in the action filed by blue cross and blue
2 shield of Kansas, inc., in the district court of Shawnee county, Kansas,
3 case No. 97CV608.

4 Sec. 2. K.S.A. 2022 Supp. 75-776 is hereby repealed.

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