



STATE OF KANSAS  
OFFICE OF THE ATTORNEY GENERAL

**DEREK SCHMIDT**  
ATTORNEY GENERAL

July 26, 2021

MEMORIAL HALL  
120 SW 10TH AVE., 2ND FLOOR  
TOPEKA, KS 66612-1597  
(785) 296-2215 • FAX (785) 296-6296  
WWW.AG.KS.GOV

Honorable Ty Masterson  
Kansas Senate President  
Statehouse, Room 332-E  
300 SW 10<sup>th</sup> Ave.  
Topeka, KS 66612

Honorable Ron Ryckman  
Kansas Speaker of the House of Representatives  
Statehouse, Room 370-W  
300 SW 10<sup>th</sup> Ave.  
Topeka, KS 66612

Dear Mr. Speaker and Mr. President:

You requested this office review applicable law and provide our assessment of the procedure that must be followed regarding the expenditure of coronavirus funds provided to Kansas by the federal government during state fiscal year 2022.

In general, state agencies that wish to receive and expend federal money that has not otherwise been appropriated or authorized by state law must first obtain approval from the State Finance Council. *See* K.S.A. 75-3711a. For coronavirus funds during state fiscal year 2022 in particular, the Finance Council may authorize such expenditure only upon recommendation from the Strengthening People and Revitalizing Kansas executive committee. *See* Senate Bill 159, Sec. 63. These general requirements govern the authority of state agencies to receive and expend federal coronavirus funds during fiscal year 2022 unless a different provision or law or other authority permits a different procedure. We have reviewed other provisions of law and have so far discovered none that authorizes a different procedure; if you or any other person can bring to our attention other legal authority believed to authorize a different procedure, we would be glad to review it. Absent such other authority, state agencies may receive and expend federal coronavirus funds during state fiscal year 2022 only with the approval of the State Finance Council upon recommendation of the SPARK executive committee.

If we may be of further assistance, please let me know.

Sincerely,

Derek Schmidt  
Kansas Attorney General

Cc: Gordon Self, Revisor of Statutes