

**RESOLUTION NO. 2022-05**

**A RESOLUTION OF THE COUNTY OF STEVENS, IN THE STATE OF KANSAS, APPROVING THE EXECUTION AND DELIVERY OF AN AGREEMENT TO RELEASE AND ASSIGN THE COUNTY'S OPIOID CLAIMS TO THE KANSAS ATTORNEY GENERAL AND CERTIFYING COSTS ATTRIBUTABLE TO SUBSTANCE ABUSE AND ADDICTION MITIGATION IN EXCESS OF \$500.**

**THIS RESOLUTION SPECIFICALLY REPLACES RESOLUTION 2021-9 AS PREVIOUSLY ADOPTED BY THE BOARD OF COMMISSIONERS.**

**WHEREAS**, in 2021, the Kansas Legislature enacted HB 2079, the Kansas Fights Addiction Act (the "Act"), authorizing litigating counties such as Stevens County, Kansas to access opioid litigation settlement funds and become eligible for certain state grants by entering an agreement releasing the county's opioid litigation claims to the Attorney General and assigning any future opioid litigation claims to the Attorney General (the "Agreement"); and

**WHEREAS**, Stevens County has sustained damages related to the opioid epidemic; and

**WHEREAS**, Stevens County desires to enter an Agreement releasing and assigning its Claims to the Attorney General in order to access opioid litigation settlement funds and become eligible for certain state grants;

**BE IT RESOLVED BY THE, GOVERNING BODY, THE BOARD OF COMMISSIONERS OF STEVENS COUNTY, KANSAS:**

**Section 1. Authorization of the Agreement.** Stevens County hereby authorizes the release of its legal claims arising from covered conduct to the Attorney General, and the assignment of any future legal claims arising from covered conduct to the Attorney General, pursuant to the Agreement by and between the Attorney General and the Stevens County in substantially the form presented to and reviewed by the governing body at this meeting (copies of this document shall be on file in the records of the County), with such changes therein as shall be reviewed by the County Attorney and the officials of the County executing such documents.

**Section 2. Execution of the Agreement.** The Chairman of the Board of Commissioners, Stevens County Counselor, and Stevens County Clerk hereby authorized and directed to execute, seal, attest and deliver the Agreement in substantially the form presented to and reviewed by the governing body at this meeting and such other settlement agreements, documents, certificates and instruments as may be necessary and desirable to carry out and comply with the intent of this Resolution, for and on behalf of Stevens County.

**Section 3. Certification of Costs and Expenses.** Stevens County hereby certifies that it has incurred costs and expenses related to substance abuse or addiction mitigation in excess of \$500 and Stevens County can utilize the opioid litigation settlement funds for the lawful purposes established in the Kansas Fights Addiction Act and the settlement agreements. The Chairman of the Board, County Clerk, and County Counselor are hereby authorized to execute, seal, attest and

deliver such other documents, certificates and instruments as may be necessary and desirable to certify these costs and expenses or similar costs and expenses, for and on behalf of Stevens County.

**Section 4. Effective Date.** This Resolution shall be in full force and effect from and after its adoption.

**ADOPTED** this \_\_\_\_ day of March, 2022 and **SIGNED** by the Chairman of the Board of Commissioners.

\_\_\_\_\_  
Tron Stegman, Chairman  
Board of Stevens County Commissioners

Attested:

\_\_\_\_\_  
Stevens County Clerk



REVIEWED AND APPROVED AS TO FORM:

\_\_\_\_\_  
Stevens County Counselor

### Notes

1. This resolution is intended to capture the minimum requirements of the Act; authorizing the county to enter into an agreement to release and assign any and all current and future opioid claims and certifying county costs associated with opioid abuse treatment and mitigation in excess of \$500. In addition to those necessary components, the draft resolution authorizes county clerk or administrator and/or the Chairman to execute the agreements necessary for the county to have access to the settlement funds on behalf of the county.
2. The italicized "Whereas" clause will not be necessary unless your county has filed opioid litigation independent of the state.
3. This resolution and any agreements entered into pursuant to the resolution should be reviewed by the county attorney.