

Attorney General - Budget No. 125
House Bill No. 1003
Base Level Funding Changes

	Executive Budget Recommendation				House Version				House Changes to Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2021-23 Biennium Base Level	245.00	\$45,604,596	\$35,886,284	\$81,490,880	245.00	\$45,604,596	\$35,886,284	\$81,490,880	0.00	\$0	\$0	\$0
2021-23 Ongoing Funding Changes												
Base payroll changes		\$55,536	\$87,874	\$143,410		\$55,536	\$87,874	\$143,410		(\$94,381)	(\$31,920)	(\$126,301)
Salary increase		876,260	416,389	1,292,649		781,879	384,489	1,166,348				0
Health insurance increase		7,650	3,718	11,368		7,650	3,718	11,368				0
Retirement contribution increase			65,672	194,355				0		(128,683)	(65,672)	(194,355)
Adds funding for Bureau of Criminal Investigation salary equity increases			0	0			1,007,326	1,007,326			1,007,326	1,007,326
Adds funding for Fire Marshal salary equity increases			0	0			125,906	125,906			125,906	125,906
Adds funding for Fire Marshal salary equity increases	4.00		959,699	959,699	4.00		959,699	959,699				0
Reduces funding for FTE gaming division positions due to electronic pull tabs activity		(246,009)		(246,009)		(246,009)		(246,009)		(210,000)		(210,000)
Adjusts funding for temporary salaries		(1,489,628)	185,464	(1,304,164)		(1,489,628)	185,464	(1,304,164)				0
Reduces operating expenses		0		0		(210,000)		(210,000)				0
Adds funding for technology fees, including Microsoft Office 365 license expenses		70,958		70,958		70,958		70,958				0
Adds funding for state agency Capitol grounds tent proposal		289,501		289,501		114,342	80,000	194,342		(289,501)		(289,501)
Adds funding for Bureau of Criminal Investigation service contracts and monitoring fees		114,342	80,000	194,342		114,342	80,000	194,342				0
Reduces funding for the Medicaid Fraud Control Unit		(12,866)		(12,866)		(12,866)		(12,866)				0
Adds funding for State Crime Laboratory bond payments		555		555		555		555				0
Reduces funding for capital assets			(152,400)	(152,400)			(152,400)	(152,400)				0
Removes funding for the Lottery Narcotics Task Force			(755,000)	(755,000)			(755,000)	(755,000)				0
Removes funding for litigation fees		(22,500)		(22,500)		(22,500)		(22,500)				0
Removes funding for 1 FTE position for the intellectual property attorney program	(1.00)	(447,790)		(447,790)	(1.00)	(447,790)		(447,790)				0
Reduces funding for the arrest and return of fugitives		(1,500)		(1,500)		(1,500)		(1,500)				0
Adds funding for criminal justice information sharing projects		382,662		382,662		382,662		382,662				0
Reduces funding for criminal justice information sharing IT expenses		(271,889)		(271,889)		(271,889)		(271,889)				0
Reduces funding for law enforcement operating expenses		(340,360)		(340,360)		(340,360)		(340,360)				0
Reduces funding for human trafficking victims grants		(400,000)		(400,000)		(300,000)		(300,000)				0
Reduces funding for forensic nurse examiners grants		(37,500)		(37,500)				0		100,000		100,000
Total ongoing funding changes	3.00	(\$1,343,895)	\$891,416	(\$452,479)	3.00	(\$1,928,960)	\$1,927,056	(\$1,904)	0.00	(\$585,065)	\$1,035,640	\$450,575
One-time funding items												
Adds funding for criminal history improvement system upgrades			\$400,000	\$400,000			\$400,000	\$400,000			\$0	\$0
Adds funding for the charitable gaming technology system			475,000	475,000			475,000	475,000			0	0
Adds funding for the automated biometric identification system			300,000	300,000			300,000	300,000			0	0
Adds funding for State Crime Laboratory equipment			1,111,706	1,111,706			1,111,706	1,111,706			0	0
Adds funding for a statewide litigation funding pool		\$3,000,000	0	3,000,000		3,000,000	0	3,000,000		(\$3,000,000)	0	0
Adds funding for additional income from federal or other sources			0	0			250,000	250,000			250,000	250,000
Total one-time funding changes	0.00	\$3,000,000	\$2,286,706	\$5,286,706	0.00	\$0	\$5,536,706	\$5,536,706	0.00	(\$3,000,000)	\$3,250,000	\$250,000
Total Changes to Base Level Funding	3.00	\$1,656,105	\$3,178,122	\$4,834,227	3.00	(\$1,928,960)	\$7,463,762	\$5,534,802	0.00	(\$3,585,065)	\$4,285,640	\$700,575
2021-23 Total Funding	248.00	\$47,260,701	\$39,064,406	\$86,325,107	248.00	\$43,675,636	\$43,350,046	\$87,025,682	0.00	(\$3,585,065)	\$4,285,640	\$700,575
Total ongoing changes as a percentage of base level	1.2%	(2.9%)	2.5%	(0.6%)	1.2%	(4.2%)	5.4%	(0.0%)				
Total changes as a percentage of base level	1.2%	3.6%	8.9%	5.9%	1.2%	(4.2%)	20.8%	6.8%				

Other Sections in Attorney General - Budget No. 125

Appropriation - Additional federal funds or other federal funds

Executive Budget Recommendation

Section 6 would appropriate \$250,000 from federal or other funds to the Attorney General for the purpose of defraying the expenses of the Attorney General for the 2021-23 biennium. The Attorney General would be required to report to the Office of Management and Budget and Legislative Council on the availability of this funding.

House Version

Section 3 appropriates \$250,000 from federal or other funds to the Attorney General for the purpose of defraying the expenses of the Attorney General for the 2021-23 biennium. The Attorney General is required to report to the Office of Management and Budget and the Legislative Council on the availability of this funding.

Strategic investment and improvements fund - Transfer - Litigation pool to state agencies
- One-time funding

Section 5 would require the Attorney General to transfer funds from the \$3 million of one-time funding in Section 1 for a statewide litigation pool to eligible state agencies for litigation expenses during the 2021-23 biennium.

Section 4 identifies \$3 million of one-time funding in the statewide litigation funding pool line item in Section 1 is from the strategic investment and improvements fund and requires the Attorney General to transfer funds from this line item to eligible state agencies for litigation expenses during the 2021-23 biennium.

Human trafficking victims grant program

Section 8 would identify \$1 million from the general fund in Section 1 for the purpose of providing grants to organizations involved in providing prevention and treatment services related to human trafficking victims for the 2021-23 biennium. The Attorney General would be allowed to provide grants for the development and implementation of direct care emergency or long-term crisis services, residential care, training for law enforcement, support of advocacy services, and programs promoting positive outcomes for victims. Any organization that receives a grant under this section would be required to report to the Attorney General and the Appropriations Committees of the 68th Legislative Assembly on the use of the funds received and the outcomes of its program.

Section 5 identifies \$1,101,834 from the general fund in Section 1 for the purpose of providing grants to organizations involved in providing prevention and treatment services related to human trafficking victims and related administrative costs for the 2021-23 biennium. The Attorney General is allowed to provide grants for the development and implementation of direct care emergency or long-term crisis services, residential care, training for law enforcement, support of advocacy services, and programs promoting positive outcomes for victims. Any organization that receives a grant under this section is required to report to the Attorney General and the Appropriations Committees of the 68th Legislative Assembly on the use of the funds received and the outcomes of its program. The Attorney General is required to report to the Legislative Management during the 2021-22 interim on the status and results of the grant program.

Forensic nurse examiners grant program

Section 9 would identify \$212,499 from the general fund in Section 1 for the purpose of providing forensic nurse examiner program grants for community-based or hospital-based sexual assault examiner programs, for the 2021-23 biennium. Any organization that receives a grant under this section would be required to report to the Attorney General and the Appropriations Committees of the 68th Legislative Assembly on the use of the funds received and the outcomes of its programs.

Section 6 identifies \$250,674 from the general fund in Section 1 for the purpose of providing forensic nurse examiner program grants for community-based or hospital-based sexual assault examiner programs and related administrative costs for the 2021-23 biennium. Any organization that receives a grant under this section is required to report to the Attorney General and the Appropriations Committees of the 68th Legislative Assembly on the use of the funds received and the outcomes of its programs. The Attorney General is required to report to Appropriations Committees of the 68th Legislative Assembly on the number of nurses trained, the number and location of nurses providing services related to sexual assault nurse examiner programs, and documentation of collaborative efforts to assist victims which includes nurses, the hospital or clinic, law enforcement, and state's attorneys.

Estimated income - Salary equity increases - Attorney General refund fund

Executive Budget Recommendation

House Version

Section 7 identifies \$1,133,232 in the estimated income line item in Section 1 is from the Attorney General refund fund for providing salary equity increases to Attorney General staff, of which \$1,007,326 is for Bureau of Criminal Investigation and Medicaid Fraud Control Unit positions and \$125,906 is for Fire Marshal office positions, for the 2021-23 biennium.

Legislative intent - Attorney General - Salary equity increases - Investment of lawsuit settlement proceeds - State Investment Board

Attorney General salary

Section 3 would amend Section 54-12-11 to provide for the Attorney General's annual salary to increase from \$163,394 to \$166,662 effective July 1, 2021, and \$169,995 effective July 1, 2022, to reflect the 2 percent annual recommended salary increase.

Section 8 allows the Attorney General to invest up to \$2,266,464 of funding available in the Attorney General refund fund, of which \$1,160,896 is derived from lawsuit settlement proceeds received by the Attorney General and deposited in the Attorney General refund fund in January 2021 and any investment earnings on the settlement amount, under the supervision of the State Investment Board for the 2021-23 and 2023-25 bienniums. Legislative intent is provided that this funding and any investment earnings on the funding be retained in the Attorney General refund fund for the purpose of providing salary equity increases for the 2021-23 biennium as authorized in Section 7 and for the cost to continue the salary equity increases during the 2023-25 biennium.

Criminal history record checks - Fees

Section 7 would require any person or entity requesting a criminal record check from the Bureau of Criminal Investigation to pay a reasonable fee as determined by the Attorney General. The funding must be deposited in the state general fund during the 2021-23 biennium.

Section 9 amends Section 54-12-11 to provide for the Attorney General's annual salary to increase from \$163,394 to \$165,845 effective July 1, 2021, and \$168,333 effective July 1, 2022, to reflect the 1.5 percent annual salary increase approved by the House.

Exemption - Attorney General refund fund

Section 4 would allow the Attorney General to retain the balance in the Attorney General refund fund at the end of the 2019-21 biennium to be used during the 2021-23 biennium, rather than transferring the balance to the general fund.

Section 10 requires any person or entity requesting a criminal record check from the Bureau of Criminal Investigation to pay a reasonable fee as determined by the Attorney General. The funding must be deposited in the state general fund during the 2021-23 biennium.

Exemption - Concealed weapon rewrite project

Section 10 would allow the Attorney General to continue any remaining funding appropriated from the general fund during the 2015-17 biennium and continued into the 2017-19 and 2019-21 bienniums for a concealed weapon rewrite project into the 2021-23 biennium.

Section 11 allows the Attorney General to retain the balance in the Attorney General refund fund at the end of the 2019-21 biennium to be used during the 2021-23 biennium, rather than transferring the balance to the general fund.

Exemption - Coronavirus emergency supplemental funding

Section 11 would allow the Attorney General to continue any federal funding received during the 2019-21 biennium in response to the COVID-19 pandemic into the 2021-23 biennium.

Section 12 allows the Attorney General to continue any remaining funding appropriated from the general fund during the 2015-17 biennium and continued into the 2017-19 and 2019-21 bienniums for a concealed weapon rewrite project into the 2021-23 biennium.

