

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

	House Version				Senate Version				Senate Changes to House Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	Increase (Decrease) - House Version			
									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		\$40,602	(\$2,491)	\$0
Salary increase		781,879	384,469	1,166,348		822,481	381,978	1,204,459				38,111
Health insurance increase		7,650	3,718	11,368		7,650	3,718	11,368				0
Adds funding for Bureau of Criminal Investigation salary equity increases			1,007,326	1,007,326			1,123,777	1,123,777			116,451	116,451
Adds funding for Fire Marshal salary equity increases			125,906	125,906			125,906	125,906				0
Adds funding for FTE gaming division positions due to electronic pull tabs activity	4.00	(246,009)	959,699	959,699	4.00	(246,009)	959,699	959,699				0
Reduces funding for temporary salaries		(1,489,628)		(246,009)		(1,489,628)		(246,009)				0
Adjusts funding for operating expenses		(210,000)	185,464	(1,304,164)		(210,000)	185,464	(1,304,164)				0
Reduces operating expenses		70,958		70,958		70,958		70,958				0
Adds funding for technology fees, including Microsoft Office 365 license expenses		114,342	80,000	194,342		114,342	80,000	194,342				0
Adds funding for Bureau of Criminal Investigation service contracts and monitoring fees		(12,866)		(12,866)		(12,866)		(12,866)				0
Reduces 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		(22,500)	(755,000)	(755,000)		(22,500)	(755,000)	(755,000)				0
Reduces funding for litigation fees	(1.00)	(447,790)		(22,500)	(1.00)	(447,790)		(22,500)				0
Removes funding for 1 FTE position for the intellectual property attorney program				0				(447,790)	1.00	447,790		447,790
Restores funding for 1 FTE position for the intellectual property attorney program		(1,500)		(1,500)		(1,500)		(1,500)				0
Reduces funding for the arrest and return of fugitives		382,662		382,662		382,662		382,662				0
Adds funding for criminal justice information sharing projects		(271,889)		(271,889)		(271,889)		(271,889)				0
Reduces funding for criminal justice information sharing IT expenses		(340,360)		(340,360)		(340,360)		(340,360)				0
Reduces funding for law enforcement operating expenses		(300,000)		(300,000)		(300,000)		(300,000)				0
Reduces funding for human trafficking victims grants	3.00	(\$1,928,960)	\$1,927,056	(\$1,904)	4.00	(\$1,440,569)	\$2,041,016	\$600,448	1.00	\$488,392	\$113,960	\$602,352
One-time funding items												
Adds funding for criminal history improvement system upgrades		\$400,000		\$400,000		\$400,000		\$400,000				\$0
Adds funding for the charitable gaming technology system		475,000		475,000		475,000		475,000				0
Adds funding for the automated biometric identification system		300,000		300,000		300,000		300,000				0
Adds funding for State Crime Laboratory equipment		1,111,706		1,111,706		1,111,706		1,111,706				0
Adds funding for a statewide litigation funding pool		3,000,000		3,000,000		4,000,000		4,000,000			\$1,000,000	1,000,000
Adds funding for additional income from federal or other sources		250,000		250,000		250,000		250,000				0
Total one-time funding changes	0.00	\$0	\$5,536,706	\$5,536,706	0.00	\$0	\$6,536,706	\$6,536,706		\$0	\$1,000,000	\$1,000,000
Total Changes to Base Level Funding	3.00	(\$1,928,960)	\$7,463,762	\$5,534,802	4.00	(\$1,440,569)	\$8,577,722	\$7,137,154	1.00	\$488,392	\$1,113,960	\$1,602,352
2021-23 Total Funding	248.00	\$43,675,636	\$43,350,046	\$87,025,682	249.00	\$44,164,028	\$44,464,006	\$88,628,034	1.00	\$488,392	\$1,113,960	\$1,602,352
Total ongoing changes as a percentage of base level												
Total changes as a percentage of base level	1.2%	(4.2%)	5.4%	(0.0%)	1.6%	(3.2%)	5.7%	0.7%				
	1.2%	(4.2%)	20.8%	6.8%	1.6%	(3.2%)	23.9%	8.8%				

Other Sections in Attorney General - Budget No. 125

	House Version	Senate Version
Appropriation - Additional federal funds or other federal funds	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.	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.
Appropriation - 2019-21 biennium - Sexual assault evidence collection kit tracking system		Section 4 provides a 2019-21 biennium supplemental appropriation of \$355,000 to the Attorney General from federal funds, of which \$255,000 is for the development and implementation of a sexual assault evidence collection kit tracking system and \$100,000 is for drug analyzers received from the Department of Transportation and granted to the Attorney General. The section includes an exemption to allow the Attorney General to continue the funding into the 2021-23 biennium.
Drug analyzers - Exemption - One-time funding		Section 23 declares this section to be an emergency measure.
Transfer - Lawsuit settlement proceeds - Opioid addiction prevention and treatment program - Appropriation - Department of Human Services - One-Time Funding - Report		Section 5 provides for a transfer of up to \$2,000,000 from opioid related lawsuit settlement proceeds deposited in the Attorney General refund fund to the Department of Human Services, which is appropriated to the Department of Human Services for the purposes of defraying the expenses of an opioid addiction prevention and treatment program during the 2021-23 biennium. The Department of Human Services is required to consult with the Attorney General regarding the use of this funding. The Attorney General is required to notify the Legislative Council and the Office of Management and Budget of any lawsuit settlement proceeds that become available for transfer to the Department of Human Services for this program.
Strategic investment and improvements fund - Transfer - Litigation pool to state agencies	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.	Section 6 identifies \$4 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.
One-time funding		
Estimated income - Charitable gaming technology system - Exemption - Gaming tax allocation		Section 7 identifies \$475,000 in Section 1 is from the Attorney General operating fund for the purpose of defraying expenses related to the continued development and implementation of the charitable gaming technology system. Notwithstanding Section 53-06,1-12, from funding designed for deposit in the general fund under subsection 3 of Section 53-06,1-12 in fiscal year 2022, the Attorney General shall deposit \$475,000 into the attorney general operating fund during the 2021-23 biennium.

Other Sections in Attorney General - Budget No. 125

Human trafficking victims grant program

House Version	Senate Version
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.	Section 8 identifies \$1,101,879 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 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.	Section 9 identifies \$250,691 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.
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Estimated income - Salary equity increases - Attorney General refund fund - Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund

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.	Section 10 identifies \$1,249,083 in the estimated income line item in Section 1 is for providing salary equity increases to Attorney General staff during the 2021-23 biennium, of which \$1,123,777 is from the Attorney General refund fund for Bureau of Criminal Investigation and Medicaid Fraud Control Unit positions and \$125,906 is from the Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund for Fire Marshal office positions.
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Other Sections in Attorney General - Budget No. 125

House Version		Senate Version
Legislative intent - Attorney General - Salary equity increases - Investment of lawsuit settlement proceeds - State Investment Board	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.	Section 11 allows the Attorney General to invest up to \$2,577,624 of funding in the Attorney General refund fund, which is derived from lawsuit settlement proceeds received by the Attorney General and was deposited in the Attorney General refund fund in January 2021 (\$1,160,896) and March 2021 (\$1,416,728) and any investment earnings on the settlement amount, and \$251,812 of funding in the Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund, 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 and Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund for the purpose of providing salary equity increases for the 2021-23 biennium as authorized in Section 10 and for the cost to continue the salary equity increases during the 2023-25 biennium.
Attorney General salary	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.	Section 12 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 \$169,162 effective July 1, 2022, to reflect the 1.5 percent annual salary increase approved by the House.
Criminal history record checks - Fees	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.	Section 13 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 - Contingent fee arrangement		Section 14 provides, notwithstanding Section 54-12-08.1, the Attorney General may contract for legal services that are compensated by a contingent fee arrangement, relating to ongoing technology multi-state litigation, during the period beginning with the effective date of this Act and ending June 30, 2023. Section 23 declares this section an emergency measure.
Exemption - Gaming tax revenue grants		Section 15 provides, notwithstanding Section 53-06.1-12, the Attorney General may distribute quarters seven and eight 2019-21 biennium gaming tax revenues to cities and counties through October 31, 2021.
Exemption - Attorney General refund fund	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.	Section 16 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 - Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund		Section 17 provides, notwithstanding Subsection 6 of Section 18-13-03, the Attorney General may invest \$125,906 from the Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund, for the purpose of providing salary equity increases to Fire Marshal office positions during the 2021-23 biennium.



Other Sections in Attorney General - Budget No. 125

	House Version	Senate Version
Exemption - Concealed weapon rewrite project	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.	Section 18 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.
Exemption - Statewide automated victim information and notification program		Section 19 allows the Attorney General to continue any remaining funding appropriated from other funds for the 2017-19 biennium and continued into the 2019-21 biennium for the statewide automated victim information and notification system into the 2021-23 biennium.
Exemption - Information technology equipment		Section 20 allows the Attorney General to continue any remaining funding appropriated from the general fund for the 2019-21 biennium for the purchase of information technology equipment into the 2021-23 biennium.
Legislative Management study - State government attorneys		Section 21 provides for a Legislative Management study regarding the feasibility and desirability of consolidating attorney and legal related positions in state government. The study must include an analysis of the number of attorney and legal-related positions in state government, the agency the positions are assigned to, the nature of the work performed by the positions, and any efficiencies that may be gained through the consolidation of these positions into the attorney general's office. The study must include consultation with the attorney general and any agency with attorney and legal-related positions in state government authorized for the 2021-23 biennium.
Legislative Management study - State government litigation funding		Section 22 provides for a Legislative Management study regarding the feasibility and desirability of consolidating litigation-related funding in state government. The study must include an analysis of litigation-related funding in state government agency budgets, including the nature and source of funding for the litigation and any efficiencies that may be gained through the consolidation of the litigation funding into the attorney general's office. The study must include consultation with the attorney general and any agency with litigation-related funding appropriated for the 2021-23 biennium.
Emergency measure		Section 23 declares sections 4 and 14 an emergency measure.

