

# DEPARTMENT 125 - ATTORNEY GENERAL 2025-27 BASE-LEVEL BUDGET

## Base Budget - Summary

	<u>Base Level</u>
Salaries and wages	\$53,007,980
Operating expenses	17,579,264
Capital assets	606,000
Grants	3,903,440
Human trafficking victims grants	1,110,614
Forensic nurse examiners grants	252,676
Litigation fees	127,500
Medical examinations	660,000
Children's forensic interviews	304,560
North Dakota lottery	5,413,453
Arrest and return of fugitives	8,500
Gaming commission	7,489
Criminal justice information sharing	4,579,950
Law enforcement	<u>3,377,659</u>
Total all funds	\$90,939,085
Less other funds	<u>41,914,820</u>
Total general fund	\$49,024,265
Full-time equivalent (FTE) positions	266.00

## Selected Base Budget Information

	General Fund	Other Funds	Total
1. Includes funding for salaries and wages, including \$1,847,162 for temporary salaries and \$932,617 for overtime salaries.	\$31,970,851	\$21,037,129	\$53,007,980
2. Includes funding for operating expenses, primarily related to information technology (IT) contractual services, data processing, communication, and software (\$6.7 million), building and equipment rent (\$2.4 million), professional and operating fees (\$2.2 million), repairs (\$1.5 million), utilities (\$1.2 million), and travel (\$1.1 million).	\$8,394,929	\$9,184,335	\$17,579,264
3. Includes funding for capital assets.	\$606,000	\$0	\$606,000
4. Includes funding for grants, of which \$3.1 million is from federal funds for crime prevention grants, \$27,400 is for federal IT grants, and \$750,000 is from the charitable gaming operating fund for gaming grants to political subdivisions.	\$0	\$3,903,440	\$3,903,440
5. Includes funding for human trafficking victims grants (\$994,864) and related program salaries and operating expenses (\$115,750).	\$1,110,614	\$0	\$1,110,614
6. Includes funding for forensic nurse examiners grants (\$226,333) and related program salaries and operating expenses (\$26,343).	\$252,676	\$0	\$252,676
7. Includes funding for litigation fees.	\$127,500	\$0	\$127,500
8. Includes funding from the insurance regulatory trust fund for medical examinations under North Dakota Century Code Section 12.1-34-07.	\$0	\$660,000	\$660,000
9. Includes funding from the insurance regulatory trust fund for children's forensic interviews under Section 12.1-34-07.	\$0	\$304,560	\$304,560
10. Includes funding for the North Dakota lottery from the lottery operating fund. Pursuant to Section 53-12.1-10, revenue deposited in the fund is available for administrative and operating costs of the lottery, including costs related to employees, supplies, surveys, advertising and marketing, printing, promotion, premium incentive items, a facility, and services provided by another state agency. Section 53-12.1-09 provides in addition to funding appropriated for administrative and operating costs, revenue in the fund is to be transferred to the gambling disorder prevention and treatment fund (\$640,000) and multijurisdictional drug task force grant fund	\$0	\$5,413,453	\$5,413,453

(\$2,000,000). Remaining moneys in the lottery fund are to be transferred to the general fund at the end of each biennium.

11. Includes funding for the arrest and return of fugitives.	\$8,500	\$0	\$8,500
12. Includes funding from the charitable gaming operating fund for the Gaming Commission. Funding for charitable gaming expenses are included in the salaries and wages line item and operating expenses line item.	\$0	\$7,489	\$7,489
13. Includes funding for the criminal justice information sharing system (CJIS), of which \$650,000 is from federal funds and \$471,922 is from the Attorney General refund fund. The funding relates to staff salaries and operating expenses, primarily IT software, contractual services, and data processing. The system is available to criminal justice professionals to search information and establish notifications through a secure website. Information on CJIS includes booking records, concealed weapons licenses, criminal history records, warrant information, driver's license and motor vehicle records, DNA information, Highway Patrol citations, hunting and fishing licenses, missing persons data, sex offender registrations, protection orders, watercraft licenses, and local law enforcement agency records.	\$3,458,028	\$1,121,922	\$4,579,950
14. Includes funding for law enforcement, including \$241,137 from federal funds and \$41,355 from Attorney General refund fund. The funding relates primarily to staff salaries and miscellaneous operating expenses. Additional funding for law enforcement is available in the salaries and wages line item and operating expenses line item.	\$3,095,167	\$282,492	\$3,377,659
15. Includes \$41,914,820 of other funds, of which \$13,556,967 is from federal funds, \$964,560 is from the insurance regulatory trust fund, \$7,128,156 is from the Attorney General refund fund, \$8,829,403 is from the Attorney General operating fund, \$5,413,453 is from the lottery operating fund, \$462,993 is from the North Dakota sobriety program fund, \$2,195 is from the multi-jurisdictional drug task force fund, and \$5,557,093 is from the charitable gaming operating fund.	\$0	\$41,914,820	\$41,914,820

### Continuing Appropriations

**Merchant code violation fund** - Section 6-15-04 - For disbursement of funding to individuals harmed by violations of financial entities' use of merchant codes that track firearm- and ammunition-related purchases. The Legislative Assembly created the merchant code violation fund in House Bill No. 1487 (2023).

**Charitable gaming technology fund** - Section 53-06.1-12.4 - For contracting for and purchasing equipment and software for a charitable gaming technology system, training employees to operate the system, and maintaining and updating the system. The Legislative Assembly created the charitable gaming technology fund in Senate Bill No. 2281 (2023) and authorized the transfer of \$400,000 from the charitable gaming operating fund to the charitable gaming technology fund.

**Lottery operating fund** - Section 53-12.1-09 - To pay costs of operating the lottery. For the 2021-23 biennium, the fund had \$49,864,760 of revenue, \$48,661,839 of expenditures of which \$13,000,000 was transferred to the general fund, and a fund balance of \$2,212,639 on June 30, 2023.

**Assets forfeiture fund** - Section 54-12-14 - To pay costs related to law enforcement activities of the Attorney General's office. For the 2021-23 biennium, the fund had \$646,000 of revenue, \$361,608 of expenditures, and a fund balance of \$638,093 on June 30, 2023.

**Refund fund** - Section 54-12-18 - To pay costs of the Consumer Protection and Antitrust Division and the Gaming Division. For the 2021-23 biennium, the fund had \$14,111,430 of revenue, \$7,157,911 of expenditures, and a fund balance of \$20,149,959 on June 30, 2023.

**Special operations team reimbursement fund** - Section 54-12-23 - To reimburse city and county governments that provide special operations team services to rural areas. For the 2021-23 biennium, the fund had \$40,800 of revenue, \$34,952 of expenditures, and a fund balance of \$198,757 on June 30, 2023.

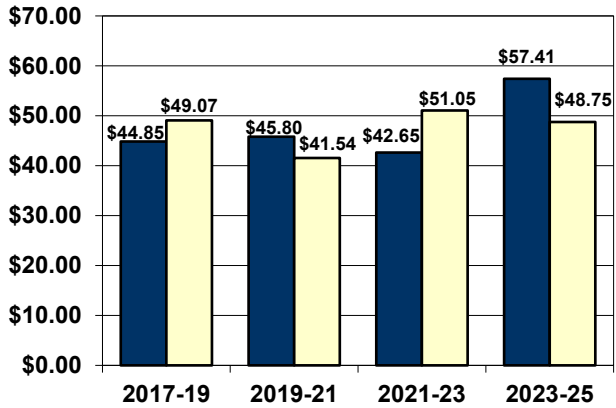
**Multijurisdictional drug task force fund** - Section 54-12-26 - To provide support for the narcotics enforcement efforts of the state. For the 2021-23 biennium, the fund had \$1,600,000 of revenue, \$2,014,953 of expenditures, and a fund balance of \$337,675 on June 30, 2023.

**24/7 sobriety program fund** - Section 54-12-29 - To pay costs of administering and operating the 24/7 sobriety program. For the 2021-23 biennium, the fund had \$2,265,037 of revenue, \$2,236,135 of expenditures, and a fund balance of \$1,732,919 on June 30, 2023.

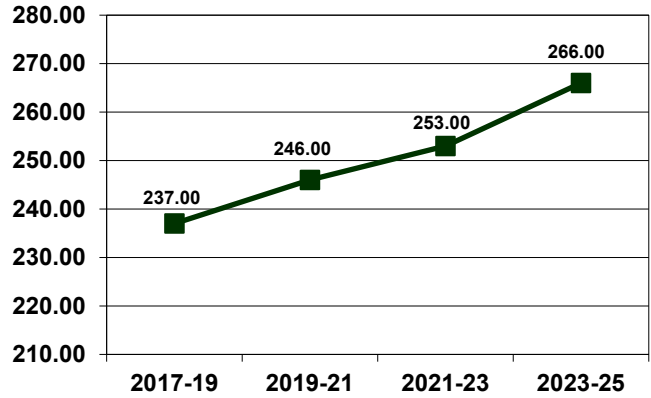
# Historical Appropriations Information

## Agency Appropriations and FTE Positions

Agency Funding (Millions)



FTE Positions



■ General Fund □ Other Funds

### Ongoing General Fund Appropriations

	2015-17	2017-19	2019-21	2021-23	2023-25
Ongoing general fund appropriations	\$48,466,861	\$44,695,840	\$45,604,596	\$42,646,718	\$49,024,265
Increase (decrease) from previous biennium	N/A	(\$3,771,021)	\$908,756	(\$2,957,878)	\$6,377,547
Percentage increase (decrease) from previous biennium	N/A	(7.8%)	2.0%	(6.5%)	15.0%
Cumulative percentage increase (decrease) from 2015-17 biennium	N/A	(7.8%)	(5.9%)	(12.0%)	1.2%

### Major Increases (Decreases) in Ongoing General Fund Appropriations

#### 2017-19 Biennium

- Removed 13 FTE undesignated positions (\$130,782)
- Reduced salaries and wages in anticipation of savings from vacant positions and employee turnover (\$929,297)
- Changed funding source for 8 FTE positions from the general fund to federal and other funds (\$1,120,322)
- Reduced funding for CJIS to provide total funding of \$3,391,562 (\$188,741)
- Reduced funding for law enforcement programs (\$219,348)
- Added funding to provide grants to organizations involved in providing prevention and treatment services related to human trafficking victims \$125,000

#### 2019-21 Biennium

- Removed 4 FTE positions, including 1 FTE paralegal position, 1 FTE criminal records specialist II position, 1 FTE assistant attorney general position, and 1 FTE administrative assistant II position (\$641,089)
- Added 1 FTE forensic scientist position \$224,500
- Transferred 2 FTE CJIS positions, including \$372,555 of salaries and wages and \$9,388 of operating expenses from the Adjutant General - Department of Emergency Services to the Bureau of Criminal Investigation (BCI). The total amount transferred was \$381,943, including \$111,766 from other funds. \$270,177
- Added funding for the human trafficking victims grants program to provide total funding of \$1.4 million from the general fund \$1,275,000
- Added funding for a forensic nurse examiners grant program \$250,000

#### 2021-23 Biennium

- Added funding for a State Crime Laboratory data scientist position, including \$200,162 for salaries and wages and \$42,570 for operating expenses \$242,732

2. Reduced funding for temporary salaries, including \$146,009 for IT temporary salaries and \$100,000 for agencywide temporary salaries (\$246,009)
3. Adjusted funding for the Gaming Division from the general fund to the charitable gaming operating fund to provide total funding of \$5,926,068 from the charitable gaming operating fund for the Gaming Division, including \$4,125,469 for salaries and wages, \$1,043,110 for operating expenses, \$750,000 for grants to political subdivisions, and \$7,489 for Gaming Commission expenses (\$1,710,042)
4. Adjusted funding for operating expenses, including general fund decreases primarily for IT contractual services and repairs, IT software and supplies, travel, operating fees, rent, and increases from the Attorney General operating fund (\$185,464) and Attorney General refund fund (\$584,373) primarily for IT software, IT supplies, and IT contractual services and repairs (\$1,699,628)
5. Reduced funding for human trafficking victims grants to provide a total of \$1,101,879 from the general fund, including \$1,100,000 for grants and \$1,879 for administration of the program (\$300,000)
6. Added funding for CJIS, for a common statute tables project (\$40,000), CJIS portal upgrades (\$75,000), broker maintenance costs (\$50,000), and law enforcement records and jail management system maintenance (\$217,662) \$382,662
7. Adjusted funding for CJIS IT expenses from the general fund to the Attorney General refund fund to provide total CJIS funding of \$4,074,968, including \$2,952,761 from the general fund, \$650,000 from federal funds, and \$472,207 from the Attorney General refund fund (\$271,889)
8. Adjusted funding from the general fund to the Attorney General refund fund for law enforcement operating expenses, of which \$279,850 related to BCI, \$34,377 related to the State Crime Laboratory, and \$26,133 related to administrative law enforcement operating expenses. Funding in the law enforcement line item totals \$3,048,927, including \$2,475,393 from the general fund, \$229,796 from federal funds, and \$343,738 was from the Attorney General refund fund. (\$340,360)

**2023-25 Biennium**

1. Adjusted funding for prior biennium State Crime Laboratory staff salary equity increases from the Attorney General refund fund to the general fund \$537,297
2. Added funding for 21 FTE positions, including 4 FTE attorney positions (\$1,189,850), 3 FTE Bureau of Criminal Investigation (BCI) cybercrime positions (\$839,976), 3 FTE BCI criminal investigator positions (\$840,029), 6 FTE State Crime Laboratory positions (\$1,695,822), 2 FTE information technology programmers and analysts (\$504,543), and 3 FTE Medicaid Fraud Control Unit (MFCU) positions (\$242,017 from the general fund and \$613,627 from federal funds) \$5,312,237
3. Transferred the State Fire Marshal's office to the Insurance Commissioner. Of the \$1,275,214 of other funds removed from the Attorney General's budget, \$382,129 was from the Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund and \$893,085 was from the Attorney General operating fund (\$887,685)
4. Adjusted funding for MFCU salaries and wages and operating expenses by reducing federal funds and increasing funding from the general fund to reflect a change in the federal-state cost-sharing of the program. Previously, the federal government provided funding for 90 percent of the costs of the MFCU program. The new federal funding rate is 75 percent. \$341,747
5. Adjusted funding from the Attorney General refund fund for operating expenses, primarily as a result of settlement proceeds from the JUUL Labs, Inc., lawsuit no longer being available to the Attorney General \$809,381
6. Added funding for various software projects and costs, including software maintenance and subscription costs (\$453,297 from the general fund), the automated biometric identification system and data extraction software (\$384,000 from the general fund and \$144,000 from federal funds), legal case search "Discovery" software (\$100,000 from the general fund), and gaming, licensing, and deposit project operating expenses (\$37,000 from the general fund and \$37,000 from charitable gaming operating fund) \$974,297

**One-Time General Fund Appropriations**

	2015-17	2017-19	2019-21	2021-23	2023-25
One-time general fund appropriations	\$3,282,824	\$150,000	\$200,000	\$0	\$8,386,346

**Major One-Time General Fund Appropriations**

**2017-19 Biennium**

1. Prosecution witness fees \$50,000
2. DOS-based deposit system rewrite \$100,000

**2019-21 Biennium**

1. Undercover vehicles \$200,000

**2021-23 Biennium**

None \$0

**2023-25 Biennium**

1. Staff operating and equipment costs, including \$12,520 for FTE attorney position operating expenses, \$313,017 for FTE BCI cybercrime position operating expenses and capital assets, \$210,942 for FTE BCI criminal investigator position operating expenses and capital assets, \$186,338 for FTE State Crime Laboratory position operating expenses, and \$17,318 for MFCU operating expenses and capital assets \$740,135
2. State Crime Laboratory capital improvements \$250,000
3. State Crime Laboratory capital assets, including firearms and fingerprint testing equipment, intoxilyzers, and software upgrades \$886,000
4. Replacement of 10 undercover BCI vehicles \$200,000
5. Statewide litigation funding pool \$1,797,748
6. Law enforcement resiliency grant program \$400,000
7. Domestic violence forensic medical examination grant program \$250,000
8. Back the blue grant program \$3,500,000