



**Attorney General
Department No. 125
2025 House Bill No. 1003**

**REVISED EXECUTIVE BUDGET RECOMMENDATION
2025-27 BIENNIUM**

Budget Summary

	FTE Positions	General Fund	Other Funds	Total
Burgum budget recommendation	272.00	\$67,993,342	\$47,417,159	\$115,410,501
Revisions - Increase (decrease)	(1.00)	(4,154,748)	3,388,620	(766,128)
Armstrong budget recommendation	271.00	\$63,838,594	\$50,805,779	\$114,644,373
Base level	266.00	49,024,265	41,914,820	90,939,085
Increase (decrease)	5.00	\$14,814,329	\$8,890,959	\$23,705,288
Percentage increase (decrease)	1.9%	30.2%	21.2%	26.1%

NOTE:

More detailed information on the revised executive budget recommendation is attached as an appendix.

Selected Highlights

- Adds **\$2,528,752**, of which **\$1,644,886** is from the general fund and **\$883,866** is from other funds, for salary increases of up to **3 percent** effective July 1, 2025, and 3 percent effective July 1, 2026
- Adds **\$1,561,372**, of which **\$990,921** is from the general fund and \$570,451 is from other funds, for health insurance increase of \$250 per month (15.2 percent), from \$1,643 to \$1,893, per employee
- Adds \$8,859,974, of which \$6,701,991 is from the general fund and \$2,157,983 is from other funds, to replace the 2023-25 biennium new FTE pool (\$4,602,851) and vacant FTE pool (\$4,257,123)
- Adds **\$1,185,004**, of which **\$927,527** is from the general fund and \$257,477 is from federal funds, for **5** new FTE positions, including an FTE evidence technician position, an FTE Medicaid fraud control unit attorney position, an FTE cybercrime information processing administrator position, and 2 FTE victim witness advocate positions
- Adjusts \$2,744,134 of funding for salaries (\$1,790,559) and operating expenses (\$953,575) from the Attorney General refund fund to the general fund
- Adds **one-time funding** of \$954,000, of which **\$400,000** is from the general fund, \$233,000 is from federal funds, and **\$321,000 is from the strategic investment and improvements fund (SIIF)**, for State Crime Laboratory equipment and supplies
- Adds one-time funding of \$682,000 from the general fund for information technology (IT) network switches (\$32,000) and to replace the criminal justice information system jail management system (\$650,000)
- Adds one-time funding of \$765,000 from **SIIF** for the replacement of Bureau of Criminal Investigation (BCI) undercover vehicles (\$660,000) and the purchase of portable handheld dual-band radios (\$105,000)
- Adds one-time funding of \$5 million from **SIIF** for the statewide litigation funding pool
- Adds one-time funding of \$1.5 million from **SIIF** to replace the statewide automated victim identification notification system

Deficiency Appropriations

The executive budget recommendation includes a deficiency appropriation of \$3.05 million from the general fund for the statewide litigation funding pool (\$3 million) and prosecution witness fees (\$50,000). If approved, this would result in a total of \$8 million authorized for the statewide litigation funding pool and \$145,056 for prosecution witness fees during the 2023-25 biennium.

Significant Audit Findings

The operational audit of the Attorney General conducted by the State Auditor's office for the period ending June 30, 2022, identified one finding related to breath alcohol toxicology results.

The State Auditor reviewed if toxicology results were accurate and utilized proper equipment. The audit revealed 25 of the 726 breath alcohol tests conducted by local law enforcement and tested by the State Crime Laboratory

from July 1, 2021, to June 30, 2022, used expired gas canisters, resulting in potentially invalid tests. The State Auditor recommended the State Crime Laboratory ensure expired gas canisters are not used for breath alcohol tests. The Attorney General agreed with the recommendation and stated the State Crime Laboratory has seen a decline in the number of tests run on expired gas canisters since a recent change in leadership of the breath alcohol program.

During the 2020 operational audit of the Attorney General, the State Auditor concluded 34 of 8,925 breath alcohol tests utilized expired or unapproved gas canisters. As a result, in Section 4 of House Bill No. 1003 (2021), the Legislative Assembly appropriated \$100,000 from federal funds to the Attorney General for the replacement of 61 of 119 drug analyzers. The funding was to replace Intoxilyzer 8000 models with Intoxilyzer 9000 models that will prevent unapproved or expired gas canisters from being used.

In the 2022 operational audit report, the State Auditor states the State Crime Laboratory intends to purchase additional Intoxilyzer 9000s to replace the Intoxilyzer 8000s. The software of the Intoxilyzer 9000 will prevent running a test on an expired gas cylinder.

Agency Fees

As reported to the Legislative Management, pursuant to North Dakota Century Code Section 54-35-27, this agency has 42 fees. The agency did not recommend any changes to the fees.

Major Related Legislation

House Bill No. 1037 - This bill appropriates \$750,000 of one-time funding from the general fund to the Attorney General for providing uncrewed aircraft system, autonomous vehicle, or other autonomous technology grants to individuals and entities aiding BCI in conducting missing person searches, crime scene reconstruction, and law enforcement first response operations during the 2025-27 biennium. The bill allows the Attorney General to require grant recipients to provide \$1 of matching funds for every \$4 provided by the state.

House Bill No. 1102 - This bill appropriates \$775,000 from the general fund to the Attorney General for the purpose of hiring 2 FTE BCI cybercrime agent positions and related equipment and capital assets during the 2025-27 biennium. Of the total \$161,000 is considered a one-time funding item for the purchase of equipment.

House Bill No. 1193 - This bill appropriates \$8,450,000 of one-time funding from the general fund to the Attorney General for providing peace officer and correctional officer appreciation grants. State agencies and political subdivisions receiving a grant are required to provide eligible peace officers with a salary bonus of up to \$6,000 each fiscal year.

House Bill No. 1199 - This bill creates a missing indigenous people task force and a missing indigenous people grant fund, authorizes the Attorney General a continuing appropriation from the fund, and provides an appropriation and transfer of \$250,000 from the general fund to the new fund for supporting the efforts of a federally recognized Indian nation, tribe, or band in the state to identify, report, and find missing indigenous people.

House Bill No. 1209 - This bill appropriates \$3.2 million of one-time funding from the general fund to the Attorney General for the purpose of contracting with a consultant to perform a comprehensive assessment of the state's vulnerabilities relating to security threats posed by foreign adversaries. The consultant is required to report its finding to the Attorney General by July 1, 2026, and the Attorney General is required to present the findings to the Legislative Management by September 1, 2026.

House Bill No. 1249 - This bill appropriated \$750,000 of one-time funding from the general fund to the Attorney General for providing autonomous technology grants to individuals or entities that aid BCI in conducting missing person searches, crime scene reconstruction, and law enforcement first response operations. The bill authorizes the Attorney General to require individuals to provide matching funds of \$1 for every \$4 provided by the state.

House Bill No. 1399 - This bill increases the amount counties can request for reimbursement of prosecution witness fees from \$25,000 per county to \$30,000 per county. The bill authorizes counties that exceed the \$30,000 limit to enter into an agreement with another county for unused reimbursement funds from the Attorney General.

Senate Bill No. 2167 - This bill requires individuals convicted of a felony or misdemeanor to pay a fee of up to \$100 for the cost of digital forensic examinations, establishes an internet crimes investigation fund, and provides the Attorney General a continuing appropriation from the fund.

Senate Bill No. 2194 - This bill requires BCI to accept digital fingerprints for a request for a statewide criminal history record check and appropriates \$5 million from the general fund to the Attorney General for the purpose of obtaining equipment and other costs associated with criminal history record checks.

Senate Bill No. 2205 - This bill increases the quarterly transfers from the charitable gaming operating fund to the gambling prevention and treatment fund to provide for a biennial increase of \$520,000, from \$80,000 to \$600,000.

This results in a \$520,000 decrease in the amount transferred from the charitable gaming operating fund to the general fund at the end of each biennium.

Senate Bill No. 2292 - This bill amends Section 12.1-34-07 to provide the cost of medical screenings and acute forensic medical examinations be paid from the general fund. The 2025-27 biennium base budget for the Attorney General includes \$964,560 from the insurance regulatory trust fund for medical examinations (\$660,000) and children's forensic interviews (\$304,560).

NOTE:

Please see the Fiscal Impact Report for additional information regarding bills under consideration which contain either a state revenue impact, an appropriation, or a state fiscal impact.



Attorney General - Budget No. 125
Agency Worksheet - House Bill No. 1003

	Armstrong Budget			
	FTE Positions	General Fund	Other Funds	Total
2025-27 Biennium Base Level	266.00	\$49,024,265	\$41,914,820	\$90,939,085
2025-27 Ongoing Funding Changes				
Adds funding for the cost to continue salaries		\$1,020,488	\$664,389	\$1,684,877
Salary increase		1,644,886	883,866	2,528,752
Health insurance increase		990,921	570,451	1,561,372
Adds funding to replace the 2023-25 new FTE pool		4,066,038	536,813	4,602,851
Adds funding to replace the 2023-25 vacant FTE pool		2,635,953	1,621,170	4,257,123
Adds funding for a FTE evidence technician position	1.00	189,393		189,393
Adds funding for a FTE Medicaid fraud control unit attorney position	1.00	85,826	257,477	343,303
Adds funding for a FTE cybercrime information processing administrator position	1.00	177,104		177,104
Adds funding for FTE victim witness advocate	2.00	475,204		475,204
Adds funding to reclassify a FTE paralegal position to a FTE attorney position			30,000	30,000
Adds funding for salary equity increases		254,317	37,460	291,777
Adjusts funding for salaries from special funds to the general fund		1,790,559	(1,790,559)	0
Adjusts funding for operating expenses from special funds to the general fund		953,575	(953,575)	0
Reduces funding for operating expenses		(1,531,995)	(806,359)	(2,338,354)
Adds funding for State Crime Laboratory equipment and maintenance		192,000		192,000
Adds funding for software hosting and maintenance and other IT costs		1,118,060	20,826	1,138,886
Reduces funding for bond payments		(330,000)		(330,000)
Total ongoing funding changes	5.00	\$13,732,329	\$1,071,959	\$14,804,288
One-Time Funding Items				
Adds one-time funding for State Crime Laboratory equipment and supplies		\$400,000	\$554,000	\$954,000
Adds funding to replace IT network switches		32,000		32,000
Adds funding to replace BCI undercover vehicles			660,000	660,000
Adds funding for portable handheld dual-band radios			105,000	105,000
Adds funding for the statewide litigation funding pool			5,000,000	5,000,000
Adds funding to replace the criminal justice information system jail management system		650,000		650,000
Adds funding to replace the statewide automated victim identification notification system			1,500,000	1,500,000
Total one-time funding changes	0.00	\$1,082,000	\$7,819,000	\$8,901,000
Total Changes to Base Level Funding	5.00	\$14,814,329	\$8,890,959	\$23,705,288
2025-27 Total Funding	271.00	\$63,838,594	\$50,805,779	\$114,644,373

Federal funds included in other funds

\$15,221,406

Total ongoing changes - Percentage of base level

1.9%

28.0%

2.6%

16.3%

Total changes - Percentage of base level

1.9%

30.2%

21.2%

26.1%