

**DEPARTMENT 125 - ATTORNEY GENERAL
2027-29 BASE-LEVEL BUDGET**

Base Budget - Summary

	<u>Base Level</u>
Salaries and wages	\$61,331,305
New and vacant FTE pool	5,140,711
Operating expenses	16,190,654
Prosecution witness fees	360,056
Capital assets	417,280
Grants	3,903,440
Human trafficking victims grants	1,802,514
Forensic nurse examiners grants	254,244
Litigation fees	127,500
Medical examinations	660,000
Children's forensic interviews	304,560
Domestic violence forensic medical examinations	200,000
North Dakota Lottery	5,585,162
Arrest and return of fugitives	8,500
Gaming Commission	7,489
Criminal justice information sharing (CJIS)	5,179,417
Law enforcement	<u>3,669,398</u>
Total all funds	\$105,142,230
Less other funds	<u>43,916,294</u>
Total General Fund	\$61,225,936
FTE positions	270.00

Selected Base Budget Information

	General Fund	Other Funds	Total
1. Includes funding for salaries and wages in the salaries and wages line item, including \$2,037,301 for temporary salaries and \$932,617 for overtime	\$37,794,994	\$23,536,311	\$61,331,305
2. Includes a portion of the funding removed from the salaries and wages line item and other line items with salaries and wages funding for estimated savings from new and vacant FTE positions. This line item includes \$1,423,970 related to 7 new positions and \$3,716,743 related to vacant positions. Funding may be transferred from this line if needed for filling new positions or if savings from vacant positions is less than estimated.	\$3,467,160	\$1,673,551	\$5,140,711
3. Includes funding for operating expenses, primarily related to information technology (IT) contractual services, data processing, communication, software (\$7.3 million), building and equipment rent (\$2.5 million), professional and operating fees (\$2.2 million), repairs (\$1.7 million), utilities (\$1.2 million), and travel (\$1.1 million)	\$8,435,467	\$7,755,187	\$16,190,654
4. Includes funding for prosecution witness fees	\$360,056	\$0	\$360,056
5. Includes funding for capital assets	\$417,280	\$0	\$417,280
6. Includes funding for grants, of which \$3.2 million is from federal funds for crime prevention grants and \$750,000 is from the Charitable Gaming Operating Fund for gaming grants to political subdivisions	\$0	\$3,903,440	\$3,903,440
7. Includes funding for human trafficking victims grants (\$1,696,022) and related program salaries and operating expenses (\$106,492)	\$1,802,514	\$0	\$1,802,514
8. Includes funding for forensic nurse examiners grants (\$228,688) and related program salaries and operating expenses (\$25,556)	\$254,244	\$0	\$254,244
9. Includes funding for litigation fees	\$127,500	\$0	\$127,500
10. Includes funding for medical examinations under North Dakota Century Code Section 12.1-34-07	\$660,000	\$0	\$660,000
11. Includes funding for children's forensic interviews under Section 12.1-34-07	\$304,560	\$0	\$304,560

12. Includes funding for domestic violence forensic medical examinations	\$200,000	\$0	\$200,000
13. Includes funding for the North Dakota Lottery from the Lottery Operating Fund. 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 (\$2,000,000). Remaining money in the Lottery Operating Fund is to be transferred to the General Fund on at least an annual basis pursuant to Section 53-12.1-09.	\$0	\$5,585,162	\$5,585,162
14. Includes funding for the arrest and return of fugitives	\$8,500	\$0	\$8,500
15. Includes funding from the Charitable Gaming Operating Fund for the Gaming Commission. Funding for charitable gaming related expenses are included in the salaries and wages line item and operating expenses line item.	\$0	\$7,489	\$7,489
16. Includes funding for 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, equipment, 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.	\$4,057,495	\$1,121,922	\$5,179,417
17. Includes funding for law enforcement, including \$254,774 from federal funds and \$78,458 from the Attorney General Refund Fund. The funding relates primarily to staff salaries and miscellaneous operating expenses. Additional funding for law enforcement, including the Bureau of Criminal Investigation (BCI), is available in the salaries and wages line item and operating expenses line item.	\$3,336,166	\$333,232	\$3,669,398

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). There was no activity in the fund during the 2023-25 biennium.

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. For the 2023-25 biennium, the fund had \$504,025 of revenue, including \$400,000 transferred from the Charitable Gaming Operating Fund, \$332,293 of expenditures, and a fund balance of \$171,732 on June 30, 2025.

Lottery Operating Fund - Section 53-12.1-09 - To pay costs of operating the lottery. For the 2023-25 biennium, the fund had \$46,895,738 of revenue, \$47,032,790 of expenditures of which \$13,600,000 was transferred to the General Fund, and a fund balance of \$2,075,587 on June 30, 2025.

Assets Forfeiture Fund - Section 54-12-14 - To pay costs related to law enforcement activities of the Attorney General's office. For the 2023-25 biennium, the fund had \$358,853 of revenue, \$375,349 of expenditures, and a fund balance of \$621,597 on June 30, 2025.

Attorney General Refund Fund - Section 54-12-18 - To pay costs of the Consumer Protection and Antitrust Division. For the 2023-25 biennium, the fund had \$2,302,583 of revenue, \$15,109,036 of expenditures, and a fund balance of \$7,343,505 on June 30, 2025.

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 2023-25 biennium, the fund had \$40,800 of revenue, \$37,324 of expenditures, and a fund balance of \$202,232 on June 30, 2025.

Multijurisdictional Drug Task Force Grant Fund - Section 54-12-26 - To provide support for the narcotics enforcement efforts of the state. For the 2023-25 biennium, the fund had \$2,016,442 of revenue, including \$2,000,000 transferred from the Lottery Operation Fund, \$2,017,426 of expenditures, and a fund balance of \$336,691 on June 30, 2025.

24/7 Sobriety Program Fund - Section 54-12-29 - To pay costs of administering and operating the 24/7 Sobriety Program. For the 2023-25 biennium, the fund had \$2,363,165 of revenue, \$2,502,983 of expenditures, and a fund balance of \$1,593,101 on June 30, 2025.

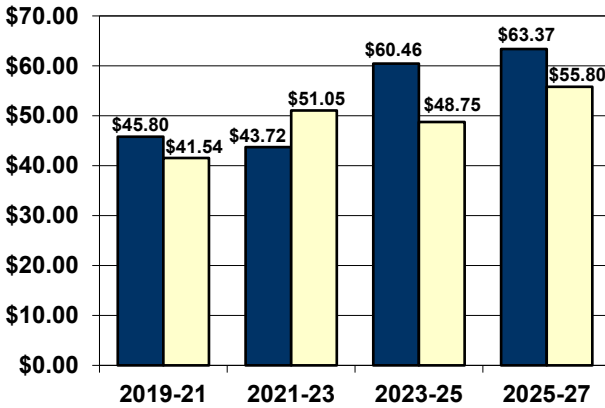
Missing Indigenous People Grant Fund - Section 54-12-36 - To support efforts of a federally recognized Indian nation, tribe, or band in the state to identify, report, and find missing indigenous people. The Legislative Assembly created this fund in House Bill No. 1199 (2025).

Internet Crimes Investigation Fund - Section 54-12-37 - For costs related to IT hardware, software licensing, digital forensic training, and internet safety presentations to assist law enforcement entities and organizations dedicated to preventing technology-facilitated child sexual exploitation and internet crimes against children. The Legislative Assembly created this fund in Senate Bill No. 2167 (2025).

Historical Appropriations Information

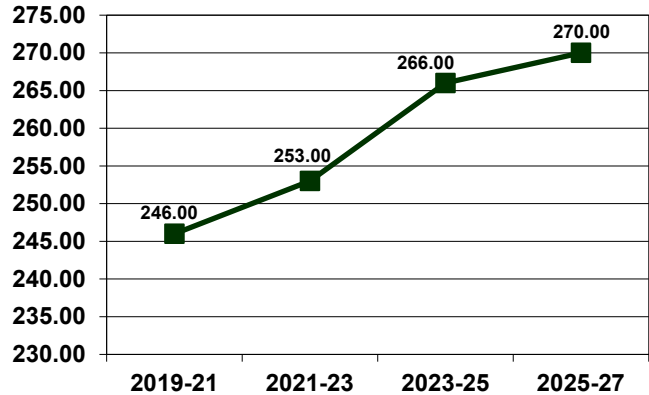
Agency Appropriations and FTE Positions

Agency Funding (Millions)



■ General Fund □ Other Funds

FTE Positions



Ongoing General Fund Appropriations

	2017-19	2019-21	2021-23	2023-25	2025-27
Ongoing General Fund appropriations	\$44,695,840	\$45,604,596	\$42,646,718	\$49,024,265	\$61,225,936
Increase (decrease) from previous biennium	N/A	\$908,756	(\$2,957,878)	\$6,377,547	\$12,201,671
Percentage increase (decrease) from previous biennium	N/A	2.0%	(6.5%)	15.0%	24.9%
Cumulative percentage increase (decrease) from 2017-19 biennium	N/A	2.0%	(4.6%)	9.7%	37.0%

Major Increases (Decreases) in Ongoing General Fund Appropriations

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 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)
- Reduced funding for temporary salaries, including \$146,009 for IT temporary salaries and \$100,000 for agencywide temporary salaries (\$246,009)
- 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)
- 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)
- 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 BCI cybercrime positions (\$839,976), 3 FTE BCI criminal investigator positions (\$840,029), 6 FTE State Crime Laboratory positions (\$1,695,822), 2 FTE IT 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 the Charitable Gaming Operating Fund) \$974,297

2025-27 Biennium

- 1. Added funding for 5 new FTE positions, including 1 FTE evidence technician position (\$189,393), 1 FTE executive staff officer position (\$195,432), 2 FTE BCI cybercrime agent positions (\$664,000), and 1 FTE BCI guardianships agent position (\$385,355). Of the total, \$1,090,640 was for salaries and wages, \$202,260 was for operating expenses, and \$141,280 was for capital assets. \$1,434,180
- 2. Added \$291,777 for salary equity increases, of which \$16,775 was from federal funds, \$16,128 was from the Attorney General Refund Fund, and \$4,557 was from the Lottery Operating Fund. Of the total, \$180,000 was for attorney positions and \$111,777 was for other staff positions. \$254,317
- 3. Added funding for prosecution witness fees to provide a total of \$360,056 from the General Fund. The \$95,056 of base-level funding was transferred from the operating expenses line item to a new prosecution witness fees line item. \$265,000
- 4. Added funding for human trafficking victims grants for exploitation prevention and awareness education to provide total ongoing funding of \$1,802,514 from the General Fund \$685,000
- 5. Adjusted funding for medical examinations (\$660,000) and children's forensic interviews (\$304,560) to be from the General Fund rather than the Insurance Regulatory Trust Fund \$964,560
- 6. Added ongoing funding for the Domestic Violence Forensic Medical Examination Program for community- or hospital-based domestic violence examiner programs and related administrative costs \$200,000

One-Time General Fund Appropriations

	2017-19	2019-21	2021-23	2023-25	2025-27
One-time General Fund appropriations	\$150,000	\$200,000	\$0	\$8,386,346	\$2,143,000

Major One-Time General Fund Appropriations

2019-21 Biennium	
Undercover vehicles	\$200,000
2021-23 Biennium	
Statewide litigation funding pool (deficiency appropriation)	\$1,000,000
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
9. Statewide litigation funding pool (deficiency appropriation)	\$3,000,000
2025-27 Biennium	
1. State Crime Laboratory equipment and supplies	\$400,000
2. Information network switches (\$32,000) and BCI cybercrime agent equipment (\$161,000)	\$193,000
3. Human trafficking victims grants	\$650,000
4. CJIS jail management system	\$650,000
5. Efforts to identify, report, and find missing indigenous people	\$250,000

Other Funds

Major sources of special funds include:

- **Attorney General Refund Fund** - For deposit of lawsuit settlement proceeds recovered by the Attorney General's Consumer Protection and Antitrust Division related to consumer fraud law violations. Funding has been appropriated for salaries and wages and operating expenses of the Consumer Protection Division, BCI, and other divisions of the Attorney General's office, as well as salary equity increases for staff.
- **Attorney General Operating Fund** - The operating fund for the agency. Revenue deposited in the fund is derived primarily from payments made by state agencies to the Attorney General for legal services to pay for salaries and wages and operating expenses for agency staff.
- **Lottery Operating Fund** - The operating fund for the North Dakota Lottery. 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.
- **Charitable Gaming Operating Fund** - The operating fund for the Attorney General's Gaming Division, consisting of revenue collected from charitable gaming activities in the state. Revenue deposited in the fund supports salaries and wages and operating expenses of the division. The amount in excess of the division's budget needs for the next biennium is transferred to the General Fund.

Major sources of federal funds include:

- **MFCU Grants** - Funding to investigate and prosecute Medicaid provider fraud
- **High intensity drug trafficking areas grants** - Funding to reduce or eliminate drug production and trafficking
- **Edward Byrne Memorial Justice Assistance Grant Program** - Funding to support law enforcement, prosecution, crime prevention and education, drug treatment and enforcement, planning, technology improvement, and crime victim and witness initiatives

Other Funds Appropriations

	2017-19	2019-21	2021-23	2023-25	2025-27
Other funds appropriations	\$49,070,230	\$41,542,111	\$51,046,425	\$48,746,942	\$55,803,294
Increase (decrease) from previous biennium	N/A	(\$7,528,119)	\$9,504,314	(\$2,299,483)	\$7,056,352
Percentage increase (decrease) from previous biennium	N/A	(15.3%)	22.9%	(4.5%)	14.5%
Cumulative percentage increase (decrease) from 2017-19 biennium	N/A	(15.3%)	4.0%	(0.7%)	13.7%

Major Increases (Decreases) in Other Funds Appropriations

2019-21 Biennium

Ongoing

1. Added federal funding for 2 FTE Social Security Administration Cooperative Disability Investigations Program FTE positions for the investigation of fraudulent Social Security disability claims \$661,888
2. Added funding for 6 FTE MFCU positions, including 1 FTE attorney position, 2 FTE auditor positions, 2 FTE criminal investigator positions, and 1 FTE administrative assistant position, of which \$111,902 is from the General Fund and \$1,007,113 is from federal funds \$1,007,113
3. Added 1 FTE fire marshal administrative assistant position (\$128,716), funding for 1 previously unfunded FTE deputy fire marshal position (\$169,924), and related fire marshal operating expenses (\$124,888). Of the total, \$382,488 is from the Attorney General Operating Fund and \$41,040 is from the Reduced Cigarette Ignition Propensity and Firefighter Protection Act Enforcement Fund. \$423,528
4. Added funding from the Attorney General Refund Fund to provide salary equity increases for attorneys during the 2019-21 biennium \$425,000
5. Removed funding from the Tobacco Settlement Trust Fund relating to tobacco settlement litigation (\$200,000)
6. Added federal funding for sex offender sentencing, monitoring, apprehending, registering, and tracking IT operating expenses \$650,000
7. Added funding for the Lottery Narcotics Task Force, increasing the quarterly transfer from the Lottery Operating Fund to the Multijurisdictional Drug Task Force Grant Fund from \$105,625 to \$200,000, providing total transfers of \$1.6 million each biennium, resulting in a General Fund revenue decrease of \$755,000. Operating expenses of \$1,664 were also added for this purpose. \$756,664
8. Added federal funding for community oriented policing grants (\$1,021,237) and reduced funding for other federal grants (\$73,797) \$947,440

One-time

1. Criminal history improvement project (Attorney General Refund Fund) \$400,000
2. Capital assets (federal funds) \$1,851,956
3. Fingerprint identification system replacement project (Attorney General Refund Fund and federal funds) \$316,000
4. Charitable gaming technology system (Attorney General Operating Fund) \$400,000
5. Additional funding from federal or special funds \$250,000

2021-23 Biennium

Ongoing

1. Added funding for BCI and MFCU salary equity increases from lawsuit settlement proceeds deposited in the Attorney General Refund Fund \$1,249,083
2. Added funding for Fire Marshal office salary equity increases from the Reduced Cigarette Ignition Propensity and Firefighter Protection Act Enforcement Fund \$125,906
3. Added funding from gaming tax revenues deposited in the Charitable Gaming Operating Fund for Gaming Division FTE positions to address increased workloads related to increased electronic pull tabs activity in the state. Of the total, \$1,426,010 was for salaries and wages and \$253,463 was for operating expenses. \$1,679,473
4. Added funding from the Charitable Gaming Operating Fund for gaming grants to political subdivisions to provide a total of \$750,000 \$240,000
5. Removed funding from the Lottery Operating Fund for the Lottery Narcotics Task Force. Section 53-12.1-09 provides for transfers totaling \$1.6 million each biennium from the Lottery Operating Fund to the Multijurisdictional Drug Task Force Grant Fund and provides the Attorney General a continuing appropriation for this funding. (\$755,000)
6. Added funding from the Attorney General Refund Fund for salary equity increases for 25 FTE State Crime Laboratory positions \$537,297

One-time	
1. Criminal history improvement system upgrades (Attorney General Refund Fund)	\$400,000
2. Charitable gaming technology system project (Charitable Gaming Operating Fund)	\$475,000
3. Automated biometric identification system (federal funds)	\$300,000
4. State Crime Laboratory capital assets (federal funds)	\$1,111,706
5. Statewide litigation funding pool (Gaming and Excise Tax Allocation Fund and Strategic Investment and Improvements Fund (SIIF))	\$4,650,000
6. Additional funding from federal or special funds	\$250,000
7. Missing persons database (federal State Fiscal Recovery Fund)	\$300,000
8. Prosecuting case management system replacement (State Fiscal Recovery Fund)	\$1,000,000
9. Charitable gaming tax IT costs (State Fiscal Recovery Fund)	\$50,000
2023-25 Biennium	
Ongoing	
Added funding from the Insurance Regulatory Trust Fund for children's forensic medical examinations in a new line item for children's forensic interviews related to Section 12.1-34-07. This amount is in addition to \$660,000 of base-level funding from the Insurance Regulatory Trust Fund for medical examinations.	\$304,560
One-time	
1. State Crime Laboratory capital assets, including funding for firearms and fingerprint testing, equipment intoxilyzers, and software upgrades (federal funds)	\$754,677
2. Gaming, licensing, and deposit software (Charitable Gaming Operating Fund)	\$699,000
3. Statewide litigation funding pool (Lottery Operating Fund and Gaming and Excise Tax Allocation Fund)	\$3,202,252
4. Additional funding from federal or special funds	\$250,000
2025-27 Biennium	
Ongoing	
1. Added \$343,303 for 1 FTE MFCU position, of which \$257,477 is from federal funds. Of the total, \$293,683 is for salaries and wages and \$49,620 is for operating expenses.	\$257,477
2. Added funding from the Community Health Trust Fund for 1 FTE tobacco compliance auditor position, of which \$197,866 is for salaries and wages and \$41,850 is for operating expenses	\$239,716
One-time	
1. Statewide litigation funding pool (SIIF)	\$5,000,000
2. Statewide automated victim identification notification system (SIIF)	\$1,500,000
3. Peace Officer and Correctional Officer Appreciation Grant Program (SIIF)	\$3,500,000
4. Autonomous technology grants (SIIF)	\$250,000
5. Additional funding from federal or special funds	\$250,000