

Department 125 - Attorney General
Senate Bill No. 2003

First Chamber Comparison to Base Level

	General Fund	Other Funds	Total
2023-25 First Chamber Version	\$63,586,851	\$42,633,849	\$106,220,700
2023-25 Base Level	42,646,718	42,509,719	85,156,437
Increase (Decrease)	\$20,940,133	\$124,130	\$21,064,263

First Chamber Changes

A summary of the first chamber's changes to the agency's base level appropriations and the executive budget is attached as an appendix.

Selected Bill Sections Included in the First Chamber Version

Appropriation - Additional federal funds or other 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 2023-25 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.

Transfer - Statewide litigation funding pool to state agencies - Section 4 requires the Attorney General to transfer funds appropriated in the statewide litigation funding pool line item to eligible state agencies for litigation expenses during the 2023-25 biennium and identifies \$442,252 appropriated in the estimated income line item for the statewide litigation funding pool is one-time funding from the gaming excise tax allocation fund.

Matching funds requirement - Back the blue grant program - Section 8 identifies \$3.5 million appropriated from the general fund in the law enforcement line item is for a back the blue grant program. Of this amount, \$1.5 million is available exclusively to local law enforcement agencies employing 10 or fewer employees working in a law enforcement capacity. The Attorney General may spend funding for this program only to the extent the applicant has secured \$1 for every \$4 provided by the Attorney General.

Law enforcement resiliency grant program - Section 9 identifies \$400,000 appropriated from the general fund in the law enforcement line item is for a law enforcement resiliency grant program to be provided to defray the administrative, therapeutic, training, and outreach-related costs of providing mental health and wellness support services to current and retired correctional and law enforcement personnel.

Amendment - Opioid settlement fund - Section 10 creates a new section in North Dakota Century Code Chapter 50-06 to create an opioid settlement fund and provides money received by the state as a result of opioid litigation be deposited in the fund.

Amendment - Lottery fund transfers - Section 11 amends Section 53-12.1-09 to increase transfers from the lottery operating fund to the multijurisdictional drug task force grant fund by \$50,000, from \$200,000 to \$250,000 each quarter.

Exemption - Attorney General refund fund - Section 15 allows the Attorney General to retain the balance in the Attorney General refund fund at the end of the 2021-23 biennium to be used during the 2023-25 biennium, rather than transferring the balance to the general fund.

Exemption - Concealed weapon rewrite project - Section 16 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, 2019-21, and 2021-23 bienniums for a concealed weapon rewrite project into the 2023-25 biennium.

Exemption - Criminal history improvement project - Section 17 allows the Attorney General to continue any remaining funding of the \$400,000 appropriated from the Attorney General refund fund during the 2021-23 biennium for the criminal history improvement project into the 2023-25 biennium.

Exemption - COVID-19 funds - Section 18 allows the Attorney General to continue any remaining funding of the \$2,082,871 appropriated from federal COVID-19 funds during the 2019-21 biennium and continued into the 2021-23 biennium for justice assistance grants into the 2023-25 biennium.

Exemption - Federal State Fiscal Recovery Fund - Section 19 allows the Attorney General to continue any remaining funding appropriated from the federal State Fiscal Recovery Fund during the 2021-23 biennium for a missing persons database (\$300,000), the replacement of the prosecuting case management system (\$1 million), and charitable gaming information technology costs (\$50,000) into the 2023-25 biennium.

Legislative Management study - State Crime Laboratory - Section 20 provides for a Legislative Management study of the services and needs of the State Crime Laboratory.

Continuing Appropriations

Assets forfeiture fund - Section 54-12-14 - To pay costs related to law enforcement activities of the Attorney General's office.

Lottery operating fund - Section 53-12.1-09 - To pay costs of operating the lottery.

Refund fund - Section 54-12-18 - To pay costs of the Consumer Protection and Antitrust Division and the Gaming Division.

Special operations team reimbursement fund - Section 54-12-23 - To reimburse city and county governments that provide special operations team services to rural areas.

24/7 sobriety program fund - Section 54-12-29 - To pay costs of administering and operating the 24/7 sobriety program.

Multijurisdictional drug task force fund - Section 54-12-26 - To provide support for the narcotics enforcement efforts of the state.

Gambling disorder prevention and treatment fund - House Bill No. 1114, as approved by the House, provides the Attorney General a continuing appropriation for the \$10,000 transferred from the charitable gaming operating fund to the gambling disorder prevention and treatment fund each quarter.

Merchant code violation fund - House Bill No. 1487, as approved by the House, provides the Attorney General a continuing appropriation from a newly created merchant code violation fund for disbursement of funding to individuals harmed by violations of financial entities' use of merchant codes that track firearm- and ammunition-related purchases.

Charitable gaming technology fund - Senate Bill No. 2281, as approved by the Senate, provides the Attorney General a continuing appropriation from a newly created charitable gaming technology fund 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.

Deficiency Appropriations

Prosecution witness fees - Senate Bill No. 2025 includes a \$75,000 general fund deficiency appropriation to the Attorney General for prosecution witness fee reimbursements to counties during the 2021-23 biennium.

Significant Audit Findings

Operational audit - The operational audit of the Attorney General conducted by the State Auditor's office for the period ending June 30, 2020, identified one finding related to breath alcohol toxicology results. The State Auditor reviewed if toxicology results were accurate and performed by certified operators. The audit revealed the breath alcohol toxicology results were performed by certified operators but 34 of 8,925 tests performed during the audit period were performed using expired or unapproved gas standard canisters, resulting in potentially invalid tests. The State Auditor recommended either the Director of the State Crime Laboratory direct field inspectors to ensure gas canisters are approved and replaced prior to the expiration dates or the Attorney General establish other measures to prevent unapproved or expired gas canisters from being used to perform breath alcohol tests.

The Attorney General disagreed with the audit finding and recommendation. The Attorney General stated corrective actions related to field inspectors ensuring gas canisters are approved and replaced prior to the expiration dates were implemented in prior years.

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. The Attorney General reported there may be a request during the 2023 legislative session for funding to replace the remaining 58 Intoxilyzer 8000s.

Investigative report on leased property - In response to a June 2022 request from the Legislative Audit and Fiscal Review Committee, the State Auditor issued an investigative report in September 2022 related to a 10-year lease agreement and remodel costs of a facility leased by the Attorney General's office. The State Auditor was asked to investigate the lease and excess costs of approximately \$1.74 million for renovations to the leased facility.

The investigation included a review of the lease entered by the Attorney General for the property located at 1720 Burlington Drive in Bismarck; interviews with representatives of the Attorney General's office, the Office of Management and Budget, Stealth Properties, Parkway Property Management, and Frontier Contracting, LLC; a review of emails made available by each interested party; and other records, including floor plans, invoices, and banking information.

The investigation revealed:

- Attorney General division directors were not consulted in the initial plans to relocate staff to the Burlington Drive facility, resulting in numerous remodeling changes necessary to accommodate staff which increased the cost to the Attorney General.
- The total cost to the Attorney General's office to relocate to the Burlington Drive facility was \$2.4 million. Of the total, \$1.74 million is considered excess costs to renovate and relocate to the facility. Of the \$1.74 million, \$1.34 million was paid by the Attorney General at the end of the 2019-21 biennium from existing funds remaining in the agency's operating expenses (\$470,187), law enforcement (\$197,900), criminal justice information sharing (CJIS) (\$325,876), and North Dakota Lottery (\$348,247) line items. The remaining \$400,000 has been included in the ongoing lease cost beginning in the 2021-23 biennium.
- The Burlington Drive facility contains 2,600 fewer square feet than facilities the Attorney General leased before relocating.
- Invoices from Frontier Contracting, LLC included building maintenance-related services that appear to be the landlord's responsibility.

- Invoices from Frontier Contracting, LLC were for services that had occurred more than a year prior to the issuance of the invoice and the invoices lacked detail regarding the services performed.
- Parkway Property Management does not have invoices to support renovation costs. The State Auditor considers these questioned costs.
- After the emails of Attorney General Wayne Stenehjem were deleted in January 2021, the Information Technology Department indicated the emails could not be recovered. Information from Microsoft indicated data from the emails may not be completely lost.

Major Related Legislation

House Bill No. 1114 - This bill amends Section 53-06.1-11.2 related to funding in the charitable gaming operating fund in excess of funding appropriated from the fund for the subsequent biennium being transferred to the general fund and provides the Attorney General a continuing appropriation for the \$10,000 transferred from the charitable gaming operating fund to the gambling disorder prevention and treatment fund each quarter.

House Bill No. 1307 - This bill provides a one-time appropriation of \$5 million from the general fund to the Attorney General for a back the blue grant program to assist local law enforcement agencies with workforce recruitment and retention. The funding may be used for providing hiring and retention bonuses to new and current law enforcement and correctional officers and providing tuition and fee payments on behalf of law enforcement trainees.

House Bill No. 1388 - This bill provides a \$30,000 appropriation from the general fund to the Attorney General for a newly created program to support retired law enforcement dogs.

House Bill No. 1415 - This bill provides a one-time appropriation of \$480,000 from the general fund to the Attorney General for the purpose of establishing a law enforcement staffing grant program for awarding grants to a local police department located in a southeastern North Dakota community with a population of between 14,000 and 17,000 residents that has recently experienced a significant increase in the number of registered sex offenders living in that community in order to hire additional law enforcement staff. Eligible expenditures under the program include costs related to salaries and overtime, training, and purchases of equipment for existing and newly hired law enforcement staff.

House Bill No. 1447 - This bill creates an opioid settlement fund and an opioid settlement advisory committee, requires the Attorney General to transfer any funding received from opioid-related lawsuit settlement proceeds deposited in the Attorney General refund fund during the 2019-21 and 2021-23 bienniums into the opioid settlement fund, and requires the Attorney General to request political subdivisions to return all unobligated opioid-related funds so the Attorney General may deposit those funds in the opioid settlement fund. An appropriation of \$8 million is provided to the Department of Health and Human Services (DHHS) for the purpose of opioid remediation and abatement efforts.

House Bill No. 1487 - This bill requires the Attorney General to investigate alleged violations relating to financial entities' use of merchant codes to track firearm- and ammunition-related purchases. The Attorney General is provided a continuing appropriation from the newly created merchant code violation fund for disbursement of funding to individuals harmed by violations of financial entities' use of merchant codes that track firearm- and ammunition-related purchases.

House Bill No. 1528 - This bill relates to the final disposition of records, mandatory records retention policies for state agencies, and the administration of employee accounts upon employee departure from an agency. The bill allows noncompliance with the records management program to be reported to the Attorney General for possible prosecution or referral to the Office of Management and Budget Human Resource Management Services Division for disciplinary action.

Senate Bill No. 2202 - This bill appropriates one-time funding of \$250,000 from the general fund to the Attorney General to provide domestic violence forensic medical examination program grants to community-based or hospital-based domestic violence examiner programs and related administrative costs.

Senate Bill No. 2211 - This bill transfers statutory supervision authority for the State Fire Marshal from the Attorney General to the Insurance Commissioner.

Senate Bill No. 2281 - This bill creates a charitable gaming technology fund, requires the Attorney General to deposit a portion of gaming licensing fees into the new fund, provides the Attorney General a continuing appropriation from the fund 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, and transfers \$400,000 from the charitable gaming operating fund to the charitable gaming technology fund.

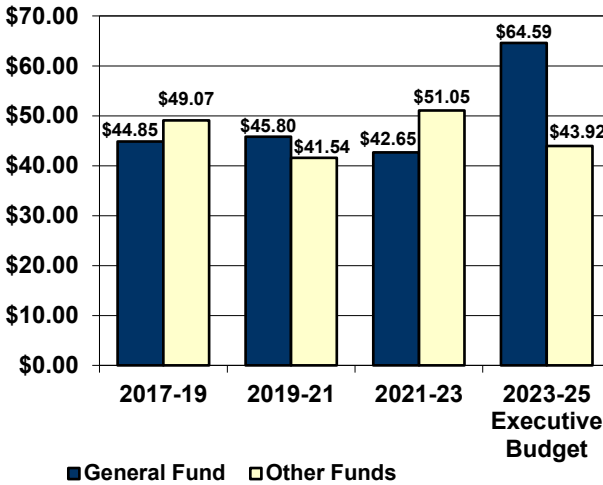
Senate Bill No. 2299 - This bill requires the Attorney General to provide a certificate of registration for all scrap metal dealers.

House Concurrent Resolution No. 3002 - This resolution authorizes sports betting and allows for the licensing and regulation of sports betting by the state.

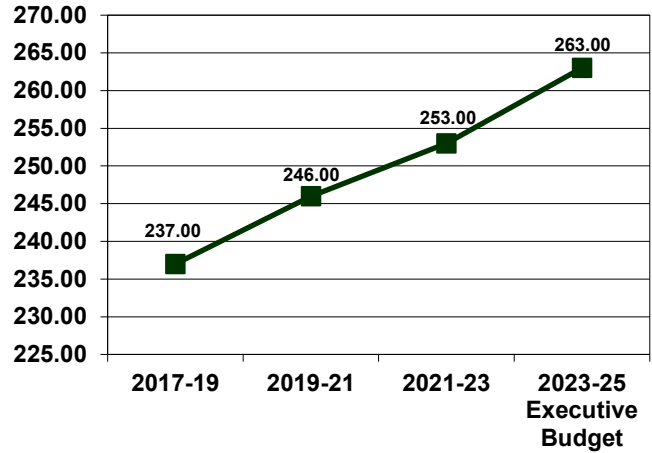
Historical Appropriations Information

Agency Appropriations and FTE Positions

Agency Funding (Millions)



FTE Positions



Ongoing General Fund Appropriations

	2015-17	2017-19	2019-21	2021-23	2023-25 Executive Budget
Ongoing general fund appropriations	\$48,466,861	\$44,695,840	\$45,604,596	\$42,646,718	\$53,208,446
Increase (decrease) from previous biennium	N/A	(\$3,771,021)	\$908,756	(\$2,957,878)	\$10,561,728
Percentage increase (decrease) from previous biennium	N/A	(7.8%)	2.0%	(6.5%)	24.8%
Cumulative percentage increase (decrease) from 2015-17 biennium	N/A	(7.8%)	(5.9%)	(12.0%)	9.8%

Major Increases (Decreases) in Ongoing General Fund Appropriations

2017-19 Biennium

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

2019-21 Biennium

1. Removed 4 FTE positions, including 1 paralegal position, 1 criminal records specialist II position, 1 assistant attorney general position, and 1 administrative assistant II position (\$641,089)
2. Added 1 FTE forensic scientist position \$224,500
3. 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
4. Added funding for the human trafficking victims grants program to provide total funding of \$1.4 million from the general fund \$1,275,000
5. Added funding for a forensic nurse examiners grant program \$250,000

2021-23 Biennium

1. Added funding for a State Crime Laboratory data scientist position, of which \$200,162 is for salaries and wages and \$42,570 is 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, of which \$4,125,469 is for salaries and wages, \$1,043,110 is for operating expenses, \$750,000 is for grants to political subdivisions, and \$7,489 is 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, of which \$1,100,000 is for grants and \$1,879 is 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, of which \$2,952,761 is from the general fund, \$650,000 is from federal funds, and \$472,207 is 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 relates to BCI, \$34,377 relates to the State Crime Laboratory, and \$26,133 are administrative law enforcement operating expenses. Total funding in the law enforcement line item is \$3,048,927, of which \$2,475,393 is from the general fund, \$229,796 is from federal funds, and \$343,738 is from the Attorney General refund fund. (\$340,360)

2023-25 Biennium (Executive Budget Recommendation)

1. Adjusts funding for prior biennium BCI, Medicaid Fraud Control Unit (MFCU), and State Crime Laboratory salary equity increases from the Attorney General refund fund to the general fund \$2,404,289
2. Adds funding for 2 FTE attorney positions, of which \$548,296 is for salaries and wages and \$83,540 is for operating expenses \$631,836
3. Adds funding for 2 FTE BCI cybercrime positions, of which \$451,570 is for salaries and wages and \$108,421 is for operating expenses \$559,991
4. Adds funding for 4 FTE State Crime Laboratory positions, of which \$712,904 is for salaries and wages, \$120,365 is for operating expenses, and \$243,712 is for an increase in maintenance contracts for equipment \$1,076,981
5. Adjusts funding for MFCU salaries and operating expenses by \$341,747 from federal funds to the general fund and for Information Technology Division and CJIS operating expenses by \$856,262 from the Attorney General refund fund to the general fund \$1,198,009

One-Time General Fund Appropriations

	2015-17	2017-19	2019-21	2021-23	2023-25 Executive Budget
One-time general fund appropriations	\$3,282,824	\$150,000	\$200,000	\$0	\$11,379,386

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 (Executive Budget Recommendation)

1. State Crime Laboratory capital assets \$886,000
2. Replacement of 10 undercover BCI vehicles \$200,000
3. Statewide litigation funding pool \$4,557,748
4. Back the blue grants \$5,000,000

Attorney General - Budget No. 125
Senate Bill No. 2003
Base Level Funding Changes

	Executive Budget Recommendation				Senate Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2023-25 Biennium Base Level	253.00	\$42,646,718	\$42,509,719	\$85,156,437	253.00	\$42,646,718	\$42,509,719	\$85,156,437
2023-25 Ongoing Funding Changes								
Adds funding for the cost to continue salary increases		\$392,026	\$151,470	\$543,496		\$392,026	\$151,470	\$543,496
Salary increase		2,297,062	1,503,134	3,800,196		1,778,318	1,083,827	2,862,145
Health insurance increase		736,474	471,438	1,207,912		729,268	464,333	1,193,601
Adds funding for salary equity increases			22,368	22,368			22,368	22,368
Transfers \$537,297 of prior biennium State Crime Laboratory salary equity funding from a special line				0				0
Adjusts funding for prior biennium BCI, MFCU, and State Crime Laboratory salary equity increases		2,404,289	(2,404,289)	0		2,404,289	(2,404,289)	0
Adds funding for FTE attorney positions	2.00	631,836		631,836	2.00	631,836		631,836
Adds funding for FTE BCI cybercrime positions	2.00	559,991		559,991	3.00	839,976		839,976
Adds funding for FTE BCI criminal investigator positions				0	3.00	840,029		840,029
Adds funding for FTE State Crime Laboratory positions	4.00	1,076,981		1,076,981	4.00	1,076,981		1,076,981
Adds funding for FTE MFCU positions	2.00	149,865	449,588	599,453	3.00	204,545	613,627	818,172
Adjusts funding for the MFCU		341,747	(341,747)	0		341,747	(341,747)	0
Transfers funding for the State Fire Marshal				0	(8.00)	(887,685)	(1,275,214)	(2,162,899)
Reduces funding for operating expenses			(22,368)	(22,368)			(22,368)	(22,368)
Adjusts funding for IT Division and CJIS operating expenses		856,262	(856,262)	0		856,262	(856,262)	0
Adds funding for IT rate increases		54,245	7,301	61,546		54,245	7,301	61,546
Adds funding for increased software maintenance and subscription costs		419,297		419,297		419,297		419,297
Adds funding for sexual assault kit tracking system software maintenance			180,000	180,000			180,000	180,000
Adds funding for the automated biometric identification system and data extraction software		384,000	144,000	528,000		384,000	144,000	528,000
Adds funding for legal case search software, also known as Discovery software		100,000		100,000		100,000		100,000
Adds funding for BCI, State Crime Laboratory, and Gaming Division inflationary increases		125,000	20,000	145,000		125,000	20,000	145,000
Adds funding for gaming, licensing, and deposit projects operating expenses		37,000	37,000	74,000		37,000	37,000	74,000
Adds funding for a new Capitol space rent model		259,708		259,708		259,708		259,708
Reduces funding for bond payments		(318,055)		(318,055)		(318,055)		(318,055)
Adds funding to replace IT servers		54,000		54,000		54,000		54,000
Total ongoing funding changes	10.00	\$10,561,728	(\$638,367)	\$9,923,361	7.00	\$10,322,787	(\$2,175,954)	\$8,146,833
One-Time Funding Items								
Adds one-time funding for FTE attorney position operating expenses		\$12,520		\$12,520		\$12,520		\$12,520
Adds one-time funding for BCI cybercrime operating and capital assets		185,999		185,999		313,017		313,017
Adds one-time funding for BCI criminal investigator operating and capital assets				0		210,942		210,942
Adds one-time funding for State Crime Laboratory operating expenses		186,338		186,338		186,338		186,338
Adds one-time funding for State Crime Laboratory capital assets		886,000	\$754,677	1,640,677		886,000	\$754,677	1,640,677
Adds one-time funding for MFCU operating and capital assets		17,318	51,955	69,273		17,318	51,955	69,273
Adds one-time funding for BCI, State Crime Laboratory, and Gaming Division inflationary increases		156,463		156,463		156,463		156,463
Adds one-time funding for gaming and consumer protection investigator vehicles and radios			102,200	102,200			102,200	102,200
Adds one-time funding for gaming, licensing, and deposit software		177,000	699,000	876,000		177,000	699,000	876,000
Adds one-time funding to replace undercover BCI vehicles		200,000		200,000		200,000		200,000
Adds one-time funding for the statewide litigation funding pool		4,557,748	442,252	5,000,000		4,557,748	442,252	5,000,000
Adds one-time funding for a back the blue grant program		5,000,000		5,000,000		3,500,000		3,500,000
Adds funding for a law enforcement resiliency grant program				0		400,000		400,000
Adds funding for additional income from federal or other sources				0			250,000	250,000
Total one-time funding changes	0.00	\$11,379,386	\$2,050,084	\$13,429,470	0.00	\$10,617,346	\$2,300,084	\$12,917,430
Total Changes to Base Level Funding	10.00	\$21,941,114	\$1,411,717	\$23,352,831	7.00	\$20,940,133	\$124,130	\$21,064,263
2023-25 Total Funding	263.00	\$64,587,832	\$43,921,436	\$108,509,268	260.00	\$63,586,851	\$42,633,849	\$106,220,700
<i>Federal funds included in other funds</i>			\$14,569,773				\$14,926,647	
<i>Total ongoing changes as a percentage of base level</i>	4.0%	24.8%	(1.5%)	11.7%	2.8%	24.2%	(5.1%)	9.6%
<i>Total changes as a percentage of base level</i>	4.0%	51.4%	3.3%	27.4%	2.8%	49.1%	0.3%	24.7%

Other Sections in Attorney General - Budget No. 125

	<u>Executive Budget Recommendation</u>	<u>Senate Version</u>
Appropriation - Additional federal funds or other funds	Section 8 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 2023-25 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.	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 2023-25 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.
Transfer - Statewide litigation funding pool to state agencies - Estimated income - Gaming and excise tax allocation fund	Section 7 would identify \$442,252 appropriated in the estimated income line item for the statewide litigation funding pool is one-time funding from the gaming excise tax allocation fund, which the Attorney General shall transfer to eligible state agencies for litigation expenses during the 2023-25 biennium.	Section 4 requires the Attorney General to transfer funds appropriated in the statewide litigation funding pool line item to eligible state agencies for litigation expenses during the 2023-25 biennium and identifies \$442,252 appropriated in the estimated income line item for the statewide litigation funding pool is one-time funding from the gaming excise tax allocation fund.
Estimated income - Charitable gaming technology system - Charitable gaming operating fund	Section 10 would identify \$736,000 appropriated in the estimated income line item is from the charitable gaming operating fund for the continued development and implementation of the charitable gaming technology system.	Section 5 identifies \$736,000 appropriated in the estimated income line item is from the charitable gaming operating fund for the continued development and implementation of the charitable gaming technology system.
Human trafficking victims grant program - Requirements - Reports	Section 11 would identify \$1,102,815 appropriated from the general fund is for the purpose of providing grants to organizations involved in providing prevention and treatment services related to human trafficking victims for the 2023-25 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 69th Legislative Assembly on the use of the funds received and the outcomes of its program.	Section 6 identifies \$1,111,480 appropriated from the general fund is for the purpose of providing grants to organizations involved in providing prevention and treatment services related to human trafficking victims for the 2023-25 biennium. The Attorney General may 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 69th Legislative Assembly on the use of the funds received and the outcomes of its program.
Forensic nurse examiners grant program - Reports	Section 12 would identify \$250,889 appropriated from the general fund is for the purpose of providing forensic nurse examiner program grants for community-based or hospital-based sexual assault examiner programs, for the 2023-25 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 69th Legislative Assembly on the use of the funds received and the outcomes of its programs.	Section 7 identifies \$252,872 appropriated from the general fund is for the purpose of providing forensic nurse examiner program grants for community-based or hospital-based sexual assault examiner programs, for the 2023-25 biennium. Any organization that receives a grant under this section is required to report to the Attorney General and the Appropriations Committees of the 69th Legislative Assembly on the use of the funds received and the outcomes of its programs.
Matching funds requirement - Back the blue grant program - Report		Section 8 identifies \$3.5 million appropriated from the general fund in the law enforcement line item is for a back the blue grant program. Of this amount, \$1.5 million is available exclusively to local law enforcement agencies employing 10 or fewer employees working in a law enforcement capacity. The Attorney General may spend funding for this program only to the extent the applicant has secured \$1 for every \$4 provided by the Attorney General.
Law enforcement resiliency grant program - Reports		Section 9 identifies \$400,000 appropriated from the general fund in the law enforcement line item is for a law enforcement resiliency grant program to be provided to defray the administrative, therapeutic, training, and outreach-related costs of providing mental health and wellness support services to current and retired correctional and law enforcement personnel.
Amendment - Opioid settlement fund		Section 10 creates a new section in Chapter 50-06 to create an opioid settlement fund and provides money received by the state as a result of opioid litigation be deposited in the fund.

Other Sections in Attorney General - Budget No. 125

	<u>Executive Budget Recommendation</u>	<u>Senate Version</u>
Amendment - Lottery fund transfers	Section 13 would amend Section 53-12.1-09 to increase transfers from the lottery operating fund to the multijurisdictional drug task force grant fund by \$50,000, from \$200,000 to \$250,000 each quarter.	Section 11 amends Section 53-12.1-09 to increase transfers from the lottery operating fund to the multijurisdictional drug task force grant fund by \$50,000, from \$200,000 to \$250,000 each quarter.
Attorney General salary	Section 3 would amend Section 54-12-11 to provide for the Attorney General's annual salary to increase from \$169,162 to \$179,312 effective July 1, 2023, and \$186,484 effective July 1, 2024, to reflect the 6 percent and 4 percent annual recommended salary increases.	Section 12 amends Section 54-12-11 to provide for the Attorney General's annual salary to increase from \$169,162 to \$175,928 effective July 1, 2023, and \$182,965 effective July 1, 2024, to reflect the 4 percent and 4 percent approved salary increases.
Criminal history record checks - Fees	Section 9 would require any person or entity requesting a criminal record check from BCI to pay a reasonable fee as determined by the Attorney General. The funding must be deposited in the general fund during the 2023-25 biennium.	Section 13 requires any person or entity requesting a criminal record check from BCI to pay a reasonable fee as determined by the Attorney General. The funding must be deposited in the general fund during the 2023-25 biennium.
Exemption - Contingent fee arrangement	Section 14 would provide, 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 multistate technology litigation, during the period beginning with the effective date of this Act and ending June 30, 2025.	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 multistate technology litigation, during the 2023-25 biennium.
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 2021-23 biennium to be used during the 2023-25 biennium, rather than transferring the balance to the general fund.	Section 15 allows the Attorney General to retain the balance in the Attorney General refund fund at the end of the 2021-23 biennium to be used during the 2023-25 biennium, rather than transferring the balance to the general fund.
Exemption - Concealed weapon rewrite project	Section 15 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, 2019-21, and 2021-23 bienniums for a concealed weapon rewrite project into the 2023-25 biennium.	Section 16 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, 2019-21, and 2021-23 bienniums for a concealed weapon rewrite project into the 2023-25 biennium.
Exemption - Criminal history improvement project	Section 16 would allow the Attorney General to continue any remaining funding of the \$400,000 appropriated from the Attorney General refund fund during the 2021-23 biennium for the criminal history improvement project into the 2023-25 biennium.	Section 17 allows the Attorney General to continue any remaining funding of the \$400,000 appropriated from the Attorney General refund fund during the 2021-23 biennium for the criminal history improvement project into the 2023-25 biennium.
Exemption - COVID-19 funds	Section 17 would allow the Attorney General to continue any remaining funding of the \$2,082,871 appropriated from federal COVID-19 relief funds during the 2019-21 biennium and continued into the 2021-23 biennium for justice assistance grants into the 2023-25 biennium.	Section 18 allows the Attorney General to continue any remaining funding of the \$2,082,871 appropriated from federal COVID-19 funds during the 2019-21 biennium and continued into the 2021-23 biennium for justice assistance grants into the 2023-25 biennium.
Exemption - Federal State Fiscal Recovery Fund	Section 18 would allow the Attorney General to continue any remaining funding appropriated from the federal State Fiscal Recovery Fund during the 2021-23 biennium for a missing persons database (\$300,000), the replacement of the prosecuting case management system (\$1 million), and charitable gaming information technology costs (\$50,000) into the 2023-25 biennium.	Section 19 allows the Attorney General to continue any remaining funding appropriated from the federal State Fiscal Recovery Fund during the 2021-23 biennium for a missing persons database (\$300,000), the replacement of the prosecuting case management system (\$1 million), and charitable gaming information technology costs (\$50,000) into the 2023-25 biennium.
Legislative Management study - State Crime Laboratory		Section 20 provides for a Legislative Management study of the services and needs of the State Crime Laboratory.
Appropriation - Transfer - Attorney General refund fund to DHHS - Opioid addiction prevention and treatment program - One-time funding	Section 5 would authorize the Office of Management and Budget to transfer up to \$30 million from opioid-related lawsuit settlement proceeds deposited in the Attorney General refund fund to DHHS, which is appropriated to DHHS for an opioid addiction prevention and treatment program. The Attorney General is required to notify the Legislative Council and Office of Management and Budget of any lawsuit settlement proceeds that become available for transfer to DHHS for the program. The funding is considered a one-time funding item.	

Other Sections in Attorney General - Budget No. 125

Transfer - Statewide litigation funding pool to state agencies

Executive Budget Recommendation

Section 6 would require the Attorney General to transfer funds appropriated in the statewide litigation funding pool line item in Section 1 to eligible state agencies for litigation expenses during the 2023-25 biennium.

Senate Version
