

Agency Budget Comparison

The following table compares the 2021 biennium appropriated budget and the 2023 biennium adopted budget by type of expenditure and source of funding.

Agency Budget Comparison				
Budget Item	Appropriated Budget 20-21	Legislative Budget 22-23	Biennium Change	Biennium % Change
Personal Services	135,025,243	139,167,552	4,142,309	3.07 %
Operating Expenses	73,604,437	78,450,083	4,845,646	6.58 %
Equipment & Intangible Assets	10,320,760	9,130,650	(1,190,110)	(11.53)%
Capital Outlay	154,716	0	(154,716)	(100.00)%
Local Assistance	50,000	50,000	0	0.00 %
Grants	260,000	240,000	(20,000)	(7.69)%
Benefits & Claims	1,793,382	1,992,382	199,000	11.10 %
Transfers	645,358	642,638	(2,720)	(0.42)%
Debt Service	3,685,487	632,574	(3,052,913)	(82.84)%
Total Expenditures	\$225,539,383	\$230,305,879	\$4,766,496	2.11 %
General Fund	72,243,997	68,427,140	(3,816,857)	(5.28)%
State/Other Special Rev. Funds	146,410,298	155,337,474	8,927,176	6.10 %
Federal Spec. Rev. Funds	2,873,082	2,662,313	(210,769)	(7.34)%
Proprietary Funds	4,012,006	3,878,952	(133,054)	(3.32)%
Total Funds	\$225,539,383	\$230,305,879	\$4,766,496	2.11 %
Total Ongoing	\$224,139,720	\$230,774,995	\$6,635,275	2.96 %
Total OTO	\$1,399,663	(\$469,116)	(\$1,868,779)	(133.52)%

Agency Description

The Department of Justice, under the direction of the Attorney General, is responsible for statewide legal services and counsel, law enforcement and public safety. The duties of the department are as follows:

- Provide legal representation for the state and its political subdivisions in criminal appeals
- Provide legal services and counsel for the state, county and municipal agencies, and their officials
- Enforce Montana traffic laws and register all motor vehicles
- Enforce state fire safety codes and regulations
- Assist local law enforcement agencies in bringing offenders to justice
- Manage a statewide system of death investigations and provide scientific analyses of specimens submitted by law enforcement officials, coroners and state agencies
- Maintain and disseminate criminal justice information to authorized state, local, and other entities
- Provide uniform regulation of all gambling activities in the state of Montana
- Enforce consumer protection laws and regulations relating to unfair and deceptive business practices, and assist Montana consumers in making sound decisions by providing public outreach
- Provide statewide leadership on issues related to victims of crime and administer the crime victim compensation program for the benefit of innocent victims

Agency Highlights

Department of Justice Major Budget Highlights
<p>The Department of Justice’s 2023 biennium budget is 2.1% or \$4.8 million higher than the 2021 biennium budget. Significant changes include:</p> <ul style="list-style-type: none"> • A 4.6% salary increase in the Montana Highway Patrol, resulting in an increase of approximately \$2.0 million in state special revenue over the biennium • Approximately \$460,000 over the biennium in state special revenue for the Criminal Records Identification Services Section (CRISS) in the Division of Criminal Investigation • An increase of approximately \$506,000 in general fund over the biennium and 1.00 FTE for a medical examiner in the Forensic Science Division • An increase of \$125,000 in general fund over the biennium to outsource sexual assault kit testing in the Forensic Science Division as one-time-only • A fund switch of \$4.95 million from general fund to state special revenue fund in the Motor Vehicle Division • A reduction of approximately \$594,000 in general fund in FY 2022 for the eliminated state share holiday two-month group benefit contribution as one-time-only • An increase of \$304,000 over the biennium in general fund for 1.00 FTE to fund an attorney position in the Legal Services Division to work on natural resource issues • An increase of \$2.0 million in state special revenue over the biennium for funding for the Montana Highway Patrol Boulder campus as restricted • An increase in general fund by approximately \$2.5 million over the biennium and 4.50 FTE in FY 2022 and 9.50 FTE in FY 2023 related to HB 701 for recreational marijuana implementation • A transfer of state special revenue funding of \$423,888 in FY 2022 and \$424,342 in FY 2023 and 3.40 FTE from the Department of Administration for costs related to 911 services

Agency Actuals and Budget Comparison

The following table compares FY 2020 actual expenditures to the 2021 biennium appropriated budget and the 2023 biennium adopted budget by year, type of expenditure, and source of funding.

Agency Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Legislative Fiscal 2022	Legislative Fiscal 2023
FTE	0.00	792.16	792.16	802.06	807.06
Personal Services	65,414,959	66,409,610	68,615,633	68,988,682	70,178,870
Operating Expenses	33,300,352	36,029,520	37,574,917	39,642,430	38,807,653
Equipment & Intangible Assets	5,775,089	5,865,435	4,455,325	4,555,325	4,575,325
Capital Outlay	140,977	154,716	0	0	0
Local Assistance	0	25,000	25,000	25,000	25,000
Grants	153,000	140,000	120,000	120,000	120,000
Benefits & Claims	490,347	672,191	1,121,191	996,191	996,191
Transfers	217,823	324,039	321,319	321,319	321,319
Debt Service	3,305,496	3,369,200	316,287	316,287	316,287
Total Expenditures	\$108,798,043	\$112,989,711	\$112,549,672	\$114,965,234	\$115,340,645
General Fund	35,150,418	35,971,142	36,272,855	31,753,243	36,673,897
State/Other Special Rev. Funds	70,654,009	73,588,990	72,821,308	79,939,915	75,397,559
Federal Spec. Rev. Funds	1,005,513	1,431,475	1,441,607	1,330,430	1,331,883
Proprietary Funds	1,988,103	1,998,104	2,013,902	1,941,646	1,937,306
Total Funds	\$108,798,043	\$112,989,711	\$112,549,672	\$114,965,234	\$115,340,645
Total Ongoing	\$107,722,785	\$111,913,757	\$112,225,963	\$115,496,850	\$115,278,145
Total OTO	\$1,075,258	\$1,075,954	\$323,709	(\$531,616)	\$62,500

Summary of Legislative Action

The Legal Services Division received an increase of \$304,000 over the biennium in general fund for 1.00 FTE to fund an attorney position to work on natural resource issues. Funding for the Montana Highway Patrol Boulder campus increased state special revenue authority by \$2.0 million over the biennium as restricted. The legislature approved a 4.6% salary increase in the Montana Highway Patrol Division, resulting in an increase of approximately \$2.0 million in state special revenue over the biennium. Forensic Science Division included an increase of approximately \$506,000 general fund over the biennium and 1.00 FTE for a medical examiner and \$125,000 in general fund over the biennium to outsource sexual assault kit testing as one-time-only. There was a fund switch of \$4.95 million from general fund to state special revenue fund in the Motor Vehicle Division. The Department of Justice had a reduction of approximately \$594,000 in general fund in FY 2022 due to the elimination of the state share holiday two-month benefit contribution as one-time-only.

HB 701, recreational marijuana implementation created an increase in general fund of approximately \$2.5 million over the biennium and 4.50 FTE in FY 2022 and 9.50 FTE in FY 2023 in the Division of Criminal Investigation and the Forensic Science Division. There was a transfer of state special revenue funding of \$423,888 in FY 2022 and \$424,342 in FY 2023 and 3.40 FTE for administrative costs related to 911 services from the State Information Technology Services Division from the Department of Administration to the Justice Information Technology Services Division in the Department of Justice.

Funding

The following table shows adopted agency funding by source of authority.

Total Department of Justice Funding by Source of Authority 2023 Biennium Budget Request - Department of Justice						
Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	68,896,256	(469,116)	0	10,882,330	79,309,470	32.30 %
State Special Total	155,337,474	0	0	735,742	156,073,216	63.56 %
Federal Special Total	2,662,313	0	0	250,000	2,912,313	1.19 %
Proprietary Total	3,878,952	0	3,376,775	0	7,255,727	2.95 %
Other Total	0	0	0	0	0	0.00 %
Total All Funds	\$230,774,995	(\$469,116)	\$3,376,775	\$11,868,072	\$245,550,726	
Percent - Total All Sources	93.98 %	(0.19)%	1.38 %	4.83 %		

Funding for the Department of Justice varies by division and function. General fund supports the Legal Services Division, Justice Information Technology Services Division, Division of Criminal Investigation, Motor Vehicle Division, Forensic Science Division, and Central Services Division. General fund also supports statutory appropriations for highway patrol retirement and the state’s contribution to county attorney salaries.

State special revenue from consumer protection settlement proceeds support consumer protection activities, gambling licensing fees support the Gambling Control Division, and motor vehicle fees support the Motor Vehicle Division. State special revenue supports crime victims’ compensation, Medicaid fraud investigation, autopsy and service fees, gambling license fees, Montana Enhanced Licensing Information Network (MERLIN) and vehicle insurance verification. The Motor Vehicle Division is also funded with federal special revenue and proprietary funds. Proprietary funds support liquor licensing functions and legal service provided under contract to other state agencies.

Budget Summary by Category

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the [glossary](#).

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget
2021 Base Budget	36,272,855	36,272,855	72,545,710	106.02 %	112,225,963	112,225,963	224,451,926	97.46 %
SWPL Adjustments	(538,262)	(598,873)	(1,137,135)	(1.66)%	(95,054)	(9,258)	(104,312)	(0.05)%
PL Adjustments	49,866	50,015	99,881	0.15 %	1,005,166	1,004,314	2,009,480	0.87 %
New Proposals	(4,031,216)	949,900	(3,081,316)	(4.50)%	1,829,159	2,119,626	3,948,785	1.71 %
Total Budget	\$31,753,243	\$36,673,897	\$68,427,140		\$114,965,234	\$115,340,645	\$230,305,879	

Other Legislation

HB 693 - This bill includes reporting requirements for the Department of Justice including information on:

- The status of reporting by county attorneys since the initial report deadline identified in HB 640 (2019) and its review of the county attorney reports and overall assessment of the law enforcement and prosecutorial response to reports from mandatory reporters
- The number of human trafficking investigations initiated by the Department of Justice in fiscal years 2021 and 2022 and the number of prosecutions generated from the investigations
- The number of referrals to Internet Crimes Against Children Task Force (ICAC)-funded programs in fiscal years 2021 and 2022 and the number of investigations initiated in response
- The number of sexual assault kits evaluated in fiscal year 2022 and the work remaining to eliminate any backlog
- The number of offenders that have had their convictions expunged through a treatment court and the underlying crime

This bill also includes the transfer of funds deposited in the domestic violence intervention account administered in whole or in part by the Montana Board of Crime Control to be moved from the Department of Corrections to the Department of Justice. The transfer of the costs associated with the 911 services from the Department of Administration to the Department of Justice.

HB 35 - This bill establishes a missing persons review commission. The impact to the general fund is a result of travel reimbursements to the commission.

HB 72 - This bill revises funding for the highway patrol retirement system (HPORS) by directing money from the state special revenue account, that partially pays for the highway patrol officers' salaries, to go to the highway patrol officers' retirement pension trust fund.

HB 83 - This bill revises vehicle laws which requires programming changes in the Montana Enhanced Registration &

Licensing Information Network (MELRIN) for the online temporary registration permit system.

HB 188 - This bill revises additional revenue to the highway special revenue account by imposing a new fee on all electric vehicles. There are programming costs related to MERLIN in this bill.

HB 264 - This bill creates a new ticket for reckless endangerment of emergency personnel. This bill will increase general fund revenue.

HB 445 - This bill creates a new fee of \$25 for dealer loaner vehicle license plates. The cost to the general fund would require additional programming to create the Loaner Vehicle Program.

HB 656 - This bill provides appropriations related to law enforcement within the Flathead Reservation. The Department of Justice will act as a passthrough agency for the purposes of the state reimbursing the county directly.

HB 701 - This bill establishes a recreational marijuana program. This bill includes an increase in general fund by \$276,439 in FY 2022 and \$424,756 in FY 2023 for 2.50 FTE in FY 2022 and 5.00 FTE in FY 2023 in the Division of Criminal Investigation and an increase in general fund by \$1,264,561 in FY 2022 and \$553,244 in FY 2023 and 2.00 FTE in FY 2022 and 4.50 FTE in FY 2023 in the Forensic Science Division.

SB 4 - This bill extends the missing persons task force. This bill requires ongoing meetings for the Montana Missing Indigenous Persons Task Force (MMIPTF) for member travel expenses managed by the Division of Criminal Investigation.

SB 19 - This bill moves the Montana Board of Crime Control and associated funding from the Department of Corrections to the Department of Justice.

SB 336 - This bill revises driver license laws to extend the term for up to twelve years from the previous term of eight years.

Executive Budget Comparison

Executive Budget Comparison								
Budget Item	Approp. Fiscal 2021	Executive Budget Fiscal 2022	Legislative Budget Fiscal 2022	Leg — Exec. Difference Fiscal 2022	Executive Budget Fiscal 2023	Legislative Budget Fiscal 2023	Leg — Exec. Difference Fiscal 2023	Biennium Difference Fiscal 22-23
FTE	792.16	796.16	802.06	5.90	798.16	807.06	8.90	8.90
Personal Services	68,615,633	68,867,396	68,988,682	121,286	69,830,544	70,178,870	348,326	469,612
Operating Expenses	37,574,917	38,303,504	39,642,430	1,338,926	38,311,138	38,807,653	496,515	1,835,441
Equipment & Intangible Assets	4,455,325	5,495,325	4,555,325	(940,000)	4,615,325	4,575,325	(40,000)	(980,000)
Capital Outlay	0	0	0	0	0	0	0	0
Local Assistance	25,000	25,000	25,000	0	25,000	25,000	0	0
Grants	120,000	120,000	120,000	0	120,000	120,000	0	0
Benefits & Claims	1,121,191	1,121,191	996,191	(125,000)	1,121,191	996,191	(125,000)	(250,000)
Transfers	321,319	321,319	321,319	0	321,319	321,319	0	0
Debt Service	316,287	316,287	316,287	0	316,287	316,287	0	0
Total Costs	\$112,549,672	\$114,570,022	\$114,965,234	\$395,212	\$114,660,804	\$115,340,645	\$679,841	\$1,075,053
General Fund	36,272,855	31,850,668	31,753,243	(97,425)	36,723,065	36,673,897	(49,168)	(146,593)
State/other Special Rev. Funds	72,821,308	79,301,654	79,939,915	638,261	74,522,384	75,397,559	875,175	1,513,436
Federal Spec. Rev. Funds	1,441,607	1,462,792	1,330,430	(132,362)	1,464,414	1,331,883	(132,531)	(264,893)
Other	2,013,902	1,954,908	0	(1,954,908)	1,950,941	0	(1,950,941)	(3,905,849)
Total Funds	\$112,549,672	\$114,570,022	\$113,023,588	(\$1,546,434)	\$114,660,804	\$113,403,339	(\$1,257,465)	(\$2,803,899)
Total Ongoing	\$112,225,963	\$115,164,138	\$115,496,850	\$332,712	\$114,660,804	\$115,278,145	\$617,341	\$950,053
Total OTO	\$323,709	(\$594,116)	(\$531,616)	\$62,500	\$0	\$62,500	\$62,500	\$125,000

The legislature adopted ongoing appropriations that are approximately \$950,000 more than the proposed appropriations for the 2023 biennium. The legislature adopted one-time-only appropriations that are \$125,000 higher than the proposed appropriations for the biennium. These differences are primarily in state special revenue appropriations.

The major differences in the legislative budget compared to the proposed budget include:

- A reduction of approximately \$80,000 in statewide present law adjustments for fixed costs
- A state special revenue reduction of \$250,000 over the biennium in the Legal Services Division
- A reduction of \$80,000 in the Montana Highway Patrol pay and retention state special revenue account in FY 2022
- A reduction of \$28,000 in FY 2022 in the cigarette fire safety state special revenue account
- A reduction of \$42,000 in FY 2022 in the Criminal Justice Information Network (CJIN) state special revenue account
- An increase of \$125,000 over the biennium to outsource sexual assault kit testing in the Forensic Science Division as one-time-only
- A change in state special revenue funds in the Forensic Science Division, moving \$801,000 from the highway non-restricted state special revenue account to the Montana Highway Patrol state special revenue account
- In addition to the 4.0% vacancy savings included in the executive budget, the legislature approved an additional 1.0% vacancy savings reduction of approximately \$825,000, of which \$430,000 is general fund, \$357,000 in state special revenue, \$24,000 in proprietary funds, and \$14,000 in federal special revenue. This 1.0% reduction includes language allowing the agency to allocate the reduction among its various programs
- An increase of \$304,000 over the biennium in general fund for 1.00 FTE to fund an attorney position in the Legal Services Division to work on natural resource issues
- An increase of \$2.0 million in state special revenue over the biennium for funding for the Montana Highway Patrol Boulder campus. The funding for the Montana Highway Patrol Boulder campus is contingent on the passage and approval of HB 686 without an appropriation for the Boulder campus
- An increase in general fund by approximately \$2.5 million over the biennium and 4.50 FTE in FY 2022 and 9.50 FTE in FY 2023 related to HB 701 for the implementation of the recreational marijuana program
- A transfer of state special revenue funding of \$423,888 in FY 2022 and \$424,342 in FY 2023 and 3.40 FTE for administrative costs related to 911 services from the State Information Technology Services Division in the Department of Administration to the Justice Information Technology Services Division in the Department of Justice

The Legislature did not approve the executive request for I-190 implementation:

- The request for \$1.5 million over the biennium and 1.00 FTE for the implementation of the recreational marijuana program in the Montana Highway Patrol. The request included \$1.1 million in general fund and \$103,000 in state special revenue in FY 2022 and \$243,000 in general fund and \$99,000 in state special revenue in FY 2023
- The request for \$775,000 over the biennium and 2.00 FTE in FY 2022 and 4.00 FTE in FY 2023 for implementation of the recreational marijuana program in the Forensic Science Division

Language and Statutory Authority

The legislature included the following language in HB 2:

"The Division of Criminal Investigation includes a reduction in federal special revenue of \$6,773 in fiscal year 2022 and \$6,794 in fiscal year 2023. Central Services Division includes a reduction in general fund of \$214,007 in fiscal year 2022 and \$215,918 in fiscal year 2023, state special revenue of \$178,188 in fiscal year 2022 and \$179,115 in fiscal year 2023, and proprietary funds of \$12,116 in fiscal year 2022 and \$12,169 in fiscal year 2023. The reductions are the equivalent of an additional 1% vacancy savings. The agency may allocate this reduction in funding among programs when developing 2023 biennium operating plans."

"The Department of Justice includes the Montana Board of Crime Control. The Montana Board of Crime Control is appropriated \$1,956,193 in general fund in FY 2022 and \$1,957,315 in FY 2023, \$127,635 in state special revenue in FY 2022 and \$127,670 in FY 2023, and \$13,507,265 in federal special revenue in FY 2022 and \$13,507,578 in FY 2023 supporting 17.50 FTE and \$1,690,654 in personal services in FY 2022 and \$1,694,849 in FY 2023, \$1,016,318 in operating expenses in FY 2022 and \$1,013,593 in FY 2023, \$12,909 in equipment and intangible assets in FY 2022 and \$12,909 in FY 2023, \$9,985,395 in grants in FY 2022 and \$9,985,395 in FY 2023, and \$2,885,817 in transfers in FY 2022 and \$2,885,817 in FY 2023 to comply with the requirements of SB 19."

"The funding for the Montana Highway Patrol Boulder Campus is contingent on the passage and approval of HB 686

without an appropriation for the Boulder campus."

"The Montana Highway Patrol Boulder Campus may only be used for expenditures related to the Boulder Campus."

"The motor vehicle information technology system account includes a reduction in state special revenue due to the elimination of a deposit of a \$4 fee pursuant to 61-3-103(8) made July 1, 2019. If HB 693 is passed and approved with a section that amends the termination date of the \$4 fee, the motor vehicle information technology system account is considered eligible to be amended under 17-07-402(1)(a)(xii) in the 2023 biennium budget."

Program Budget Comparison

The following table compares the 2021 biennium appropriated budget and the 2023 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 20-21	Legislative Budget 22-23	Biennium Change	Biennium % Change
Personal Services	12,712,941	13,208,728	495,787	3.90 %
Operating Expenses	3,866,926	4,831,799	964,873	24.95 %
Equipment & Intangible Assets	97,000	0	(97,000)	(100.00)%
Capital Outlay	26,000	0	(26,000)	(100.00)%
Benefits & Claims	1,793,382	1,992,382	199,000	11.10 %
Transfers	5,000	0	(5,000)	(100.00)%
Debt Service	1,657	0	(1,657)	(100.00)%
Total Expenditures	\$18,502,906	\$20,032,909	\$1,530,003	8.27 %
General Fund	14,097,952	15,803,279	1,705,327	12.10 %
State/Other Special Rev. Funds	2,872,736	2,934,371	61,635	2.15 %
Federal Spec. Rev. Funds	1,532,218	1,295,259	(236,959)	(15.47)%
Total Funds	\$18,502,906	\$20,032,909	\$1,530,003	8.27 %
Total Ongoing	\$18,502,906	\$20,143,507	\$1,640,601	8.87 %
Total OTO	\$0	(\$110,598)	(\$110,598)	100.00 %

Program Description

The Legal Services Division (LSD) provides:

- Legal research and analysis for the Attorney General
- Legal counsel for state government officials, bureaus, and boards
- Legal assistance to local governments and Indian tribes
- Legal assistance, training, and support for county prosecutors
- Assistance to victims of crime, including compensation payments

The Prosecution Services Bureau assists local county attorneys by providing training and assisting in the prosecution of complex criminal cases, particularly homicide cases. The bureau prosecutes cases where the county attorney has a conflict of interest, as well as drug, workers' compensation, and Medicaid fraud cases. The bureau also investigates complaints against county attorneys.

The Appellate Services Bureau handles appeals of criminal matters, including death penalty cases, and represents the state in federal court when constitutional challenges are made to a criminal conviction.

The Civil Services Bureau defends the state in constitutional challenges and coordinates appeals of civil cases that involve the state. This bureau also provides legal assistance to state and local governments on matters involving Indian jurisdiction and federal reserved water rights.

The Child Protection Unit handles child abuse and neglect cases around Montana. The unit has offices in Bozeman, Billings, Great Falls, and Miles City and focuses on resolving the legal status of children who have been in foster care for more than 15 out of the most recent 22 months.

The Office of Victim Services (OVS) works to elevate the status of victims and their rights and responds to the needs of crime victims in Montana. It serves as a central reference point for victims of crime, administers the Crime Victim Compensation Program and the Forensic Rape Examination Payment Program, and offers information and referral services. OVS staffs the Domestic Violence Fatality Review Commission and provides training and information for those who work with victims, including law enforcement, victim advocates, probation and parole officers, and local community organizations.

The Office of Consumer Protection (OCP) responds to consumer complaints and enforces Montana’s consumer protection laws and regulations relating to unfair and deceptive business practices.

Program Highlights

Legal Services Division Major Budget Highlights
<p>Legal Service Division’s 2023 biennium budget is 8.3% or \$1.5 million higher than the 2021 biennium budget. Significant changes include:</p> <ul style="list-style-type: none"> • An increase of \$304,000 over the biennium in general fund for 1.00 FTE to fund an attorney position to work on natural resource issues • A reduction of \$250,000 over the biennium in federal special revenue • A reduction of approximately \$111,000 in FY 2022 for the eliminated state share holiday two-month group benefit contribution as one-time-only

Program Actuals and Budget Comparison

The following table compares FY 2020 actual expenditures to the 2021 biennium appropriated budget and the 2023 biennium adopted budget by year, type of expenditure, and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Legislative Fiscal 2022	Legislative Fiscal 2023
FTE	0.00	63.50	63.50	64.50	64.50
Personal Services	6,236,533	6,313,223	6,399,718	6,537,744	6,670,984
Operating Expenses	1,352,296	1,471,810	2,395,116	2,416,136	2,415,663
Equipment & Intangible Assets	96,776	97,000	0	0	0
Capital Outlay	25,194	26,000	0	0	0
Benefits & Claims	490,347	672,191	1,121,191	996,191	996,191
Transfers	4,746	5,000	0	0	0
Debt Service	0	1,657	0	0	0
Total Expenditures	\$8,205,892	\$8,586,881	\$9,916,025	\$9,950,071	\$10,082,838
General Fund	6,351,631	6,397,997	7,699,955	7,837,897	7,965,382
State/Other Special Rev. Funds	1,236,771	1,424,213	1,448,523	1,464,892	1,469,479
Federal Spec. Rev. Funds	617,490	764,671	767,547	647,282	647,977
Total Funds	\$8,205,892	\$8,586,881	\$9,916,025	\$9,950,071	\$10,082,838
Total Ongoing	\$8,205,892	\$8,586,881	\$9,916,025	\$10,060,669	\$10,082,838
Total OTO	\$0	\$0	\$0	(\$110,598)	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 01-Legal Services Division Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	15,803,279	0	0	15,803,279	77.19 %	
02106 Crime Victims Compensation-St	0	0	441,028	441,028	13.07 %	
02140 Consumer Education Settlement	2,336,016	0	0	2,336,016	69.21 %	
02937 DOJ Misc SSR MOUs	598,355	0	0	598,355	17.73 %	
02309 NRDP State Special Revenue	0	0	0	0	0.00 %	
State Special Total	\$2,934,371	\$0	\$441,028	\$3,375,399	16.49 %	
03169 Federal Crime Victims Benefits	848,900	0	0	848,900	65.54 %	
03187 BCC Grants To Dept. Of Justice	2	0	0	2	0.00 %	
03800 Medicaid Fraud	1,204	0	0	1,204	0.09 %	
03801 Dept Of Justice-Misc Grants	445,153	0	0	445,153	34.37 %	
03383 LSD Federal Grants	0	0	0	0	0.00 %	
Federal Special Total	\$1,295,259	\$0	\$0	\$1,295,259	6.33 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$20,032,909	\$0	\$441,028	\$20,473,937		

Each of the various functions within LSD has a unique funding source. Attorneys are supported by general fund, state special revenue from consumer education settlement funds, and other state special revenues generated from agreements with other state agencies. Work for the Reserved Water Rights Compact Commission and prosecution of hunting violations are funded by the Department of Fish, Wildlife, and Parks, and prosecution of workers' compensation violations are funded by the Montana State Fund. The cost of major litigation is entirely supported by general fund. Funding for assistance to crime victims comes from the general fund, state special revenue funds, and federal grants. Statutory authority for crime victims' compensation is established in 53-9-113, MCA.

Budget Summary by Category

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the [glossary](#).

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget
2021 Base Budget	7,699,955	7,699,955	15,399,910	97.45 %	9,916,025	9,916,025	19,832,050	99.00 %
SWPL Adjustments	96,540	113,427	209,967	1.33 %	117,644	139,813	257,457	1.29 %
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	41,402	152,000	193,402	1.22 %	(83,598)	27,000	(56,598)	(0.28)%
Total Budget	\$7,837,897	\$7,965,382	\$15,803,279		\$9,950,071	\$10,082,838	\$20,032,909	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted budget. "Statewide Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

	Fiscal 2022					Fiscal 2023				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Present Law Adjustments										
DP 1 - Personal Services	0.00	83,561	13,002	2,561	99,124	0.00	100,486	17,778	3,502	121,766
DP 2 - Fixed Costs	0.00	20,949	4,655	2,467	28,071	0.00	19,377	4,305	2,281	25,963
DP 3 - Inflation Deflation	0.00	(6,023)	(855)	(64)	(6,942)	0.00	(3,778)	(536)	(40)	(4,354)
DP 50 - SWPLA Fixed Cost Reductions	0.00	(1,947)	(433)	(229)	(2,609)	0.00	(2,658)	(591)	(313)	(3,562)
Grand Total All Present Law Adjustments	0.00	\$96,540	\$16,369	\$4,735	\$117,644	0.00	\$113,427	\$20,956	\$5,430	\$139,813

***Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 1 - Personal Services -

The legislature made adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding to pay increases in fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, etc. The rates charged for these services are approved in the section of the budget that provides the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 50 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warehouses, storage rooms, and information technology.

New Proposals

The New Proposals table shows new changes to spending

	Fiscal 2022					Fiscal 2023				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 101 - LSD Federal Special Revenue Fund Reduction	0.00	0	0	(125,000)	(125,000)	0.00	0	0	(125,000)	(125,000)
DP 102 - Attorney in Legal Services Division	1.00	152,000	0	0	152,000	1.00	152,000	0	0	152,000
DP 5555 - Reduce GF Budget for State Share Holiday OTO	0.00	(110,598)	0	0	(110,598)	0.00	0	0	0	0
Total	1.00	\$41,402	\$0	(\$125,000)	(\$83,598)	1.00	\$152,000	\$0	(\$125,000)	\$27,000

***Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 101 - LSD Federal Special Revenue Fund Reduction -

The legislature approved a reduction in federal special revenue in Legal Services Division.

DP 102 - Attorney in Legal Services Division -

The legislature approved a general fund increase of \$152,000 in FY 2022 and \$152,000 in FY 2023 for \$149,500 in personal services and \$2,500 in operating costs each fiscal year of the biennium for 1.00 FTE to fund an attorney for work on natural resource issues.

DP 5555 - Reduce GF Budget for State Share Holiday OTO -

The legislature eliminated the state share contribution to the state employee group benefit plan for two months. Reserves are used to pay benefits during the holiday. This change package removes the general fund portion of the savings generated by the suspension of the contributions. Savings from other funding sources, where applicable, remain in agency personal services budgets.

Program Budget Comparison

The following table compares the 2021 biennium appropriated budget and the 2023 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 20-21	Legislative Budget 22-23	Biennium Change	Biennium % Change
Personal Services	56,120,332	60,734,718	4,614,386	8.22 %
Operating Expenses	20,101,432	24,011,954	3,910,522	19.45 %
Equipment & Intangible Assets	7,323,805	8,084,330	760,525	10.38 %
Transfers	150,000	150,000	0	0.00 %
Debt Service	3,036,785	0	(3,036,785)	(100.00)%
Total Expenditures	\$86,732,354	\$92,981,002	\$6,248,648	7.20 %
State/Other Special Rev. Funds	86,732,354	92,981,002	6,248,648	7.20 %
Total Funds	\$86,732,354	\$92,981,002	\$6,248,648	7.20 %
Total Ongoing	\$86,732,354	\$92,981,002	\$6,248,648	7.20 %
Total OTO	\$0	\$0	\$0	0.00 %

Program Description

The Montana Highway Patrol (MHP) Division is responsible for patrolling the highways of Montana, enforcing traffic laws, and investigating traffic crashes. The patrol gives assistance and information to motorists and first aid to those injured in traffic crashes, transports blood and medical supplies in emergency situations, and assists other law enforcement agencies when requested. The patrol provides 24-hour-a-day, seven-day-a-week communication and radio dispatch for the Highway Patrol and other state agencies.

Program Highlights

Montana Highway Patrol Major Budget Highlights
<p>The Montana Highway Patrol's 2023 biennium budget is 7.2% or \$6.2 million higher than the 2021 biennium budget. Significant changes include:</p> <ul style="list-style-type: none"> • A 4.6% salary increase, resulting in an increase of approximately \$2.0 million in state special revenue over the biennium • An increase of \$2.0 million in state special revenue as restricted for the Montana Highway Patrol Boulder campus • A decrease of \$80,000 in FY 2022 in state special revenue in the Montana Highway Patrol pay and retention fund

Program Actuals and Budget Comparison

The following table compares FY 2020 actual expenditures to the 2021 biennium appropriated budget and the 2023 biennium adopted budget by year, type of expenditure, and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Legislative Fiscal 2022	Legislative Fiscal 2023
FTE	0.00	314.09	314.09	314.09	314.09
Personal Services	27,302,147	27,475,850	28,644,482	30,323,190	30,411,528
Operating Expenses	9,162,127	9,114,341	10,987,091	11,968,998	12,042,956
Equipment & Intangible Assets	3,439,856	3,281,640	4,042,165	4,042,165	4,042,165
Transfers	0	75,000	75,000	75,000	75,000
Debt Service	3,036,784	3,036,785	0	0	0
Total Expenditures	\$42,940,914	\$42,983,616	\$43,748,738	\$46,409,353	\$46,571,649
State/Other Special Rev. Funds	42,940,914	42,983,616	43,748,738	46,409,353	46,571,649
Total Funds	\$42,940,914	\$42,983,616	\$43,748,738	\$46,409,353	\$46,571,649
Total Ongoing	\$42,940,914	\$42,983,616	\$43,748,738	\$46,409,353	\$46,571,649
Total OTO	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 03-Montana Highway Patrol Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	0	0	3,505,230	3,505,230	3.78 %
02014 Highway Patrol Pay & Retention	19,408,927	0	(1,921,188)	17,487,739	19.62 %
02143 Drug Forfeitures-State	0	0	0	0	0.00 %
02546 MT Law Enforcement Academy	0	0	0	0	0.00 %
02937 DOJ Misc SSR MOUs	0	0	0	0	0.00 %
02464 MHP Highway State Special	66,072,075	0	(1,921,186)	64,150,889	71.97 %
02372 MHP MISC	0	0	0	0	0.00 %
02690 Public Service Radio	7,500,000	0	0	7,500,000	8.41 %
State Special Total	\$92,981,002	\$0	(\$3,842,374)	\$89,138,628	96.22 %
03549 MHP Grants	0	0	0	0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$92,981,002	\$0	(\$337,144)	\$92,643,858	

Functions of the Montana Highway Patrol are supported by state special revenue in HB 2, with the bulk of the costs supported by the MHP administrative account established by the 2017 Legislature. Statutory authority outlined in 16-6-404, MCA provides general fund for highway patrol retirement contributions. This funding replaced restricted highways state special revenue funding. HB 650, enacted by the 2017 Legislature, established the MHP administrative account and required that \$0.04 of the gas tax be deposited into the account for use and management by the MHP. The uses of the account are not defined in statute.

The highway patrol recruitment and retention account is supported by a \$10.00 vehicle registration fee and may be used to support the cost of uniformed officers, equipment, pay increases, and the executive protection function. The 2017 Legislature doubled the fee deposited into the highway patrol pay and retention account from \$5.00 to \$10.00. The money in the account is for the Department of Justice to fund, pursuant to 2-18-303(5): (a) the base salary and associated operating costs for highway patrol officer positions; and (b) biennial salary increases for highway patrol officers (MCA 44-1-504).

Budget Summary by Category

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the [glossary](#).

Budget Summary by Category									
Budget Item	-----General Fund-----				-----Total Funds-----				
	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	
2021 Base Budget	0	0	0	0.00 %	43,748,738	43,748,738	87,497,476	94.10 %	
SWPL Adjustments	0	0	0	0.00 %	723,900	806,196	1,530,096	1.65 %	
PL Adjustments	0	0	0	0.00 %	1,016,715	1,016,715	2,033,430	2.19 %	
New Proposals	0	0	0	0.00 %	920,000	1,000,000	1,920,000	2.06 %	
Total Budget	\$0	\$0	\$0		\$46,409,353	\$46,571,649	\$92,981,002		

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted budget. "Statewide Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments										
	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	0	661,993	0	661,993	0.00	0	750,331	0	750,331
DP 2 - Fixed Costs	0.00	0	68,868	0	68,868	0.00	0	65,304	0	65,304
DP 3 - Inflation Deflation	0.00	0	(224)	0	(224)	0.00	0	(140)	0	(140)
DP 50 - SWPLA Fixed Cost Reductions	0.00	0	(6,737)	0	(6,737)	0.00	0	(9,299)	0	(9,299)
DP 301 - MHP Salary Survey	0.00	0	1,016,715	0	1,016,715	0.00	0	1,016,715	0	1,016,715
Grand Total All Present Law Adjustments	0.00	\$0	\$1,740,615	\$0	\$1,740,615	0.00	\$0	\$1,822,911	\$0	\$1,822,911

**"Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 1 - Personal Services -

The legislature made adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding to pay increases in fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, etc. The rates charged for these services are approved in the section of the budget that provides the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 50 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warehouses, storage rooms, and information technology.

DP 301 - MHP Salary Survey -

The legislature approved the Montana Highway Patrol's 4.6% salary increase, a result of the salary survey conducted by Department of Administration per 2-18-303, MCA. The survey averaged the starting wage in eight Montana county sheriff's offices. The amount of this change package is \$1,016,715 each fiscal year of the biennium in state special revenue, \$752,369 from the Montana highway state special account and \$264,346 from the highway patrol pay & retention fund. The amount approved ensures that MHP would be able to sufficiently fund the salary increase in July of 2021.

New Proposals

The New Proposals table shows new changes to spending

New Proposals	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 7 - Reduction in MT Highway Patrol Pay & Retention Fund	0.00	0	(80,000)	0	(80,000)	0.00	0	0	0	0
DP 303 - Montana Highway Patrol Boulder Campus (Restricted)	0.00	0	1,000,000	0	1,000,000	0.00	0	1,000,000	0	1,000,000
Total	0.00	\$0	\$920,000	\$0	\$920,000	0.00	\$0	\$1,000,000	\$0	\$1,000,000

***Total Funds** amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 7 - Reduction in MT Highway Patrol Pay & Retention Fund -

The legislature approved a reduction in appropriation authority in the Montana Highway Patrol pay and retention fund state special revenue account.

DP 303 - Montana Highway Patrol Boulder Campus (Restricted) -

The legislature approved an increase state special revenue by \$1,000,000 in FY 2022 and \$1,000,000 in FY 2023 as restricted in the Montana Highway Patrol in the Department of Justice for funding for the Boulder campus of the Montana Highway Patrol.

Program Budget Comparison

The following table compares the 2021 biennium appropriated budget and the 2023 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 20-21	Legislative Budget 22-23	Biennium Change	Biennium % Change
Personal Services	6,830,027	7,618,476	788,449	11.54 %
Operating Expenses	3,906,267	3,859,631	(46,636)	(1.19)%
Equipment & Intangible Assets	621,140	73,640	(547,500)	(88.14)%
Total Expenditures	\$11,357,434	\$11,551,747	\$194,313	1.71 %
General Fund	9,846,115	9,543,443	(302,672)	(3.07)%
State/Other Special Rev. Funds	1,476,513	1,981,365	504,852	34.19 %
Federal Spec. Rev. Funds	5,270	5,331	61	1.16 %
Proprietary Funds	29,536	21,608	(7,928)	(26.84)%
Total Funds	\$11,357,434	\$11,551,747	\$194,313	1.71 %
Total Ongoing	\$11,357,434	\$11,620,036	\$262,602	2.31 %
Total OTO	\$0	(\$68,289)	(\$68,289)	100.00 %

Program Description

The Justice Information Technology Services Division (JITSD) engineers, designs, plans, implements, directs, evaluates, operates, and manages all information technologies systems and services within the Department of Justice.

These systems include in the MVD the Montana Enhanced Registration Licensing Network (MERLIN), driver testing, and license/identification production; in MHP the Integrated Justice Information System (IJIS) Broker and SmartCop; in DCI the Criminal Justice Information Network (CJIN), Computerized Criminal History, and Automated Biometric Identification System; in FSD the Sexual or Violent Offender (SVOR) repository and web site and the Laboratory Management Information System; in CCD the GENTAX system, and many other technology solutions deployed within the department.

The division provides direct and indirect support for statewide services to federal, state, and local law enforcement agencies in identification of persons, fingerprint processing, and criminal records storage and dissemination. JITSD is also responsible for DOJ information security, disaster recovery plan and implementation, and the IT Strategic Plan.

Program Highlights

Justice Information Technology Services Division Major Budget Highlights
<p>The Justice Information Technology Services Division’s 2023 biennium budget is 1.7% or \$194,000 higher than the 2021 biennium budget. Significant changes include:</p> <ul style="list-style-type: none"> • A transfer of state special revenue funding of \$423,888 in FY 2022 and \$424,342 in FY 2023 and 3.40 FTE for costs related to 911 services from the Department of Administration • A reduction of approximately \$290,000 over the biennium, \$101,000 in general fund and \$181,000 in state special revenue, for a ServiceNow reduction • A reduction of approximately \$68,000 in general fund in FY 2022 for the eliminated state share holiday two-month group benefit contribution as one-time-only

Program Actuals and Budget Comparison

The following table compares FY 2020 actual expenditures to the 2021 biennium appropriated budget and the 2023 biennium adopted budget by year, type of expenditure, and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Legislative Fiscal 2022	Legislative Fiscal 2023
FTE	0.00	39.50	39.50	42.90	42.90
Personal Services	3,198,472	3,189,306	3,640,721	3,768,449	3,850,027
Operating Expenses	1,902,813	1,957,031	1,949,236	1,931,816	1,927,815
Equipment & Intangible Assets	568,588	584,320	36,820	36,820	36,820
Total Expenditures	\$5,669,873	\$5,730,657	\$5,626,777	\$5,737,085	\$5,814,662
General Fund	4,838,393	4,899,177	4,946,938	4,733,374	4,810,069
State/Other Special Rev. Funds	814,077	814,077	662,436	990,227	991,138
Federal Spec. Rev. Funds	2,635	2,635	2,635	2,668	2,663
Proprietary Funds	14,768	14,768	14,768	10,816	10,792
Total Funds	\$5,669,873	\$5,730,657	\$5,626,777	\$5,737,085	\$5,814,662
Total Ongoing	\$5,669,873	\$5,730,657	\$5,626,777	\$5,805,374	\$5,814,662
Total OTO	\$0	\$0	\$0	(\$68,289)	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 04-Justice Information Technology Services Division Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	9,543,443	0	0	9,543,443	82.61 %	
02006 Cigarette Fire Safety Standard	(796)	0	0	(796)	(0.04)%	
02014 Highway Patrol Pay & Retention	(2,948)	0	0	(2,948)	(0.15)%	
02016 Criminal Justice Info Network	4,303	0	0	4,303	0.22 %	
02074 Gambling License Fee Account	30,684	0	0	30,684	1.55 %	
02140 Consumer Education Settlement	244,913	0	0	244,913	12.36 %	
02456 61-6-158 MTIVS & MCE	(37,262)	0	0	(37,262)	(1.88)%	
02546 MT Law Enforcement Academy	(8,502)	0	0	(8,502)	(0.43)%	
02558 FAS - Vehicle Registration	0	0	0	0	0.00 %	
02797 Criminal Records Info Sys	83,670	0	0	83,670	4.22 %	
02798 61-3-550 MVD MERLIN HB261	592,150	0	0	592,150	29.89 %	
02937 DOJ Misc SSR MOUs	6,483	0	0	6,483	0.33 %	
02799 Motor Vehicle Administration	186,114	0	0	186,114	9.39 %	
02450 FSD Autopsy and Service Fees	(404)	0	0	(404)	(0.02)%	
02464 MHP Highway State Special	34,730	0	0	34,730	1.75 %	
02690 Public Service Radio	0	0	0	0	0.00 %	
02594 Statewide 911 Services Admin	848,230	0	0	848,230	42.81 %	
State Special Total	\$1,981,365	\$0	\$0	\$1,981,365	17.15 %	
03800 Medicaid Fraud	5,331	0	0	5,331	100.00 %	
Federal Special Total	\$5,331	\$0	\$0	\$5,331	0.05 %	
06005 Liquor Division	12,445	0	0	12,445	57.59 %	
06083 61-3-118 MVD E-Commerce	(4,780)	0	0	(4,780)	(22.12)%	
06500 Agency Legal Services	13,943	0	0	13,943	64.53 %	
Proprietary Total	\$21,608	\$0	\$0	\$21,608	0.19 %	
Total All Funds	\$11,551,747	\$0	\$0	\$11,551,747		

JITSD is funded mainly with general fund. State special revenue comes primarily from Motor Vehicle Division MERLIN funds, consumer education settlement funds, criminal records information system fees, and the MHP administrative account. The balance of JISTD’s funding comes from a small amount of federal special revenues (Medicaid) and proprietary funds including liquor licensing fees and agency legal service fees.

Budget Summary by Category

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the [glossary](#).

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget
2021 Base Budget	4,946,938	4,946,938	9,893,876	103.67 %	5,626,777	5,626,777	11,253,554	97.42 %
SWPL Adjustments	(94,815)	(86,409)	(181,224)	(1.90)%	(100,358)	(91,524)	(191,882)	(1.66)%
PL Adjustments	(50,460)	(50,460)	(100,920)	(1.06)%	(144,933)	(144,933)	(289,866)	(2.51)%
New Proposals	(68,289)	0	(68,289)	(0.72)%	355,599	424,342	779,941	6.75 %
Total Budget	\$4,733,374	\$4,810,069	\$9,543,443		\$5,737,085	\$5,814,662	\$11,551,747	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted budget. "Statewide Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

	Fiscal 2022					Fiscal 2023				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Present Law Adjustments										
DP 1 - Personal Services	0.00	(114,697)	(9,419)	0	(124,116)	0.00	(103,940)	(8,536)	0	(112,476)
DP 2 - Fixed Costs	0.00	23,261	4,290	36	27,798	0.00	21,205	3,910	33	25,342
DP 3 - Inflation Deflation	0.00	(1,217)	(239)	0	(1,456)	0.00	(765)	(148)	0	(913)
DP 4 - Service Now Reduction	0.00	(50,460)	(90,330)	0	(144,933)	0.00	(50,460)	(90,330)	0	(144,933)
DP 50 - SWPLA Fixed Cost Reductions	0.00	(2,162)	(399)	(3)	(2,584)	0.00	(2,909)	(536)	(5)	(3,477)
Grand Total All Present Law Adjustments	0.00	(\$145,275)	(\$96,097)	\$33	(\$245,291)	0.00	(\$136,869)	(\$95,640)	\$28	(\$236,457)

***Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 1 - Personal Services -

The legislature made adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding to pay increases in fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, etc. The rates charged for these services are approved in the section of the budget that provides the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 4 - Service Now Reduction -

The legislature approved a reduction of operating budget by \$144,933 in each fiscal year of the biennium due to projected operating efficiencies by implementing ServiceNow.

DP 50 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warehouses, storage rooms, and information technology.

New Proposals

The New Proposals table shows new changes to spending

	Fiscal 2022					Fiscal 2023				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 401 - Transfer of 911 Services	3.40	0	423,888	0	423,888	3.40	0	424,342	0	424,342
DP 5555 - Reduce GF Budget for State Share Holiday OTO	0.00	(68,289)	0	0	(68,289)	0.00	0	0	0	0
Total	3.40	(\$68,289)	\$423,888	\$0	\$355,599	3.40	\$0	\$424,342	\$0	\$424,342

*"Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 401 - Transfer of 911 Services -

The legislature approved a transfer of the appropriations for the administrative costs related to 911 services and 3.40 FTE from the State Information Technology Services Division in the Department of Administration to the Justice Information Technology Services Division in the Department of Justice. This includes a restricted, biennial appropriation of \$695 in state special revenue in FY 2022 for legislative audit costs.

DP 5555 - Reduce GF Budget for State Share Holiday OTO -

The legislature eliminated the state share contribution to the state employee group benefit plan for two months. Reserves are used to pay benefits during the holiday. This change package removes the general fund portion of the savings generated by the suspension of the contributions. Savings from other funding sources, where applicable, remain in agency personal services budgets.

Program Budget Comparison

The following table compares the 2021 biennium appropriated budget and the 2023 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 20-21	Legislative Budget 22-23	Biennium Change	Biennium % Change
Personal Services	18,819,090	19,818,014	998,924	5.31 %
Operating Expenses	11,111,975	10,460,973	(651,002)	(5.86)%
Equipment & Intangible Assets	1,211,039	246,904	(964,135)	(79.61)%
Capital Outlay	41,532	0	(41,532)	(100.00)%
Grants	260,000	240,000	(20,000)	(7.69)%
Transfers	84,514	84,514	0	0.00 %
Debt Service	10,339	0	(10,339)	(100.00)%
Total Expenditures	\$31,538,489	\$30,850,405	(\$688,084)	(2.18)%
General Fund	16,157,434	16,809,002	651,568	4.03 %
State/Other Special Rev. Funds	14,045,461	12,679,680	(1,365,781)	(9.72)%
Federal Spec. Rev. Funds	1,335,594	1,361,723	26,129	1.96 %
Total Funds	\$31,538,489	\$30,850,405	(\$688,084)	(2.18)%
Total Ongoing	\$30,658,489	\$30,988,661	\$330,172	1.08 %
Total OTO	\$880,000	(\$138,256)	(\$1,018,256)	(115.71)%

Program Description

The Division of Criminal Investigation (DCI) includes the administration, management, and coordination of criminal investigative services and training performed by the Investigations Bureau, the Narcotics Bureau, the Crime Information Bureau, the Law Enforcement Academy Bureau, Public Safety Officer Standards and Training Bureau, and the Special Services Bureau.

The Investigations Bureau consists of four sections. The Fire Prevention and Investigation Section is responsible for safeguarding life and property from fire, explosion, and arson through investigation, inspection, and fire code interpretation and enforcement functions. The Major Case Section provides criminal investigative assistance to city, county, state, and federal law enforcement agencies. The Medicaid Fraud Control Section is responsible for investigating any crime that occurs in a health care facility, including theft, drug diversion, sexual assault, and homicide. The section also investigates elder exploitation, elder abuse, and fraud by providers within the Medicaid system. The Montana Analysis and Technical Information Center (MATIC) is a statewide criminal intelligence center and addresses homeland security issues.

The Narcotics Bureau investigates dangerous drug violations and provides investigative assistance to city, county, state, and federal law enforcement agencies as requested. The bureau also investigates organized criminal activity.

The Crime Information Bureau is responsible for the repository of all Montana criminal records, maintains and operates the Criminal Justice Information Network that supports public safety and administers the Amber Alert Program. The bureau also manages the Computer Internet Crime Unit focused on digital forensics support for criminal investigations, online sexual predator cases, and maintains the Sexual and Violent Offender Registry.

The Law Enforcement Academy Bureau provides criminal justice officers and other qualified individuals with basic and specialized training in the field of law enforcement, as well as advanced training opportunities for law enforcement officials statewide.

The Montana Public Safety Officer Standards and Training (POST) Bureau is directed by the council that is a quasi-judicial board. The Bureau is responsible for establishing basic and advanced qualification and training standards for employment of Montana’s public safety officers. In addition, the bureau conducts and approves training, provides for the certification and re-certification of public safety officers, and is responsible for the suspension or revocation of certification of public safety officers.

The Special Services Bureau supports safety and justice for Montana children and other underserved and vulnerable citizens through training, technical support and assistance to Montana professionals who respond to children and other citizens victimized by crime and abuse. The bureau’s programs include facilitation of Montana Child Sexual Abuse Response Teams; the Child and Family Ombudsman; Drug Endangered Children Awareness Training; the Montana Developmental Center facility investigator; and the state Sexual Assault Kit Initiative Program.

Program Highlights

Division of Criminal Investigation Major Budget Highlights
<p>The Division of Criminal Investigation’s 2023 biennium budget is 2.2% or \$688,000 less than the 2021 biennium budget. Significant changes include:</p> <ul style="list-style-type: none"> • An increase of approximately \$460,000 over the biennium in state special revenue for the Criminal Records Identification Services Section (CRISS) • An increase in general fund by \$276,439 in FY 2022 and \$424,756 in FY 2023 for 2.50 FTE in FY 2022 and 5.00 FTE in FY 2023 for HB 701, recreational marijuana implementation • A reduction of approximately \$138,000 in general fund in FY 2022 for the eliminated state share holiday two-month group benefit contribution as one-time-only • A reduction of \$42,000 in state special revenue in FY 2022 in budget authority for the Criminal Justice Information Network • A reduction of \$28,000 in FY 2022 in state special revenue authority in the cigarette fire safety account

Program Actuals and Budget Comparison

The following table compares FY 2020 actual expenditures to the 2021 biennium appropriated budget and the 2023 biennium adopted budget by year, type of expenditure, and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Legislative Fiscal 2022	Legislative Fiscal 2023
FTE	0.00	115.24	115.24	117.74	120.24
Personal Services	8,913,494	9,256,549	9,562,541	9,741,548	10,076,466
Operating Expenses	5,133,170	6,119,786	4,992,189	5,208,180	5,252,793
Equipment & Intangible Assets	1,010,530	1,087,587	123,452	123,452	123,452
Capital Outlay	41,113	41,532	0	0	0
Grants	153,000	140,000	120,000	120,000	120,000
Transfers	11,295	42,257	42,257	42,257	42,257
Debt Service	8,750	10,339	0	0	0
Total Expenditures	\$15,271,352	\$16,698,050	\$14,840,439	\$15,235,437	\$15,614,968
General Fund	8,300,005	8,430,195	7,727,239	8,257,140	8,551,862
State/Other Special Rev. Funds	6,585,959	7,603,686	6,441,775	6,297,817	6,381,863
Federal Spec. Rev. Funds	385,388	664,169	671,425	680,480	681,243
Total Funds	\$15,271,352	\$16,698,050	\$14,840,439	\$15,235,437	\$15,614,968
Total Ongoing	\$14,456,352	\$15,883,050	\$14,775,439	\$15,373,693	\$15,614,968
Total OTO	\$815,000	\$815,000	\$65,000	(\$138,256)	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 05-Division of Criminal Investigation Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	16,809,002	0	0	16,809,002	54.38 %	
02006 Cigarette Fire Safety Standard	335,691	0	0	335,691	2.63 %	
02014 Highway Patrol Pay & Retention	321,144	0	0	321,144	2.52 %	
02016 Criminal Justice Info Network	1,143,626	0	0	1,143,626	8.98 %	
02106 Crime Victims Compensation-St	0	0	0	0	0.00 %	
02143 Drug Forfeitures-State	0	0	60,000	60,000	0.47 %	
02456 61-6-158 MTIVS & MCE	(269)	0	0	(269)	(0.00)%	
02546 MT Law Enforcement Academy	4,971,701	0	0	4,971,701	39.03 %	
02797 Criminal Records Info Sys	4,997,598	0	0	4,997,598	39.23 %	
02937 DOJ Misc SSR MOUs	438,749	0	0	438,749	3.44 %	
02464 MHP Highway State Special	471,440	0	0	471,440	3.70 %	
State Special Total	\$12,679,680	\$0	\$60,000	\$12,739,680	41.21 %	
03051 Homeland Security	0	0	0	0	0.00 %	
03169 Federal Crime Victims Benefits	(529)	0	0	(529)	(0.04)%	
03187 BCC Grants To Dept. Of Justice	15,777	0	0	15,777	1.16 %	
03542 DCI Overtime Agreements	0	0	0	0	0.00 %	
03549 MHP Grants	0	0	0	0	0.00 %	
03800 Medicaid Fraud	1,351,481	0	0	1,351,481	99.25 %	
03801 Dept Of Justice-Misc Grants	(5,006)	0	0	(5,006)	(0.37)%	
03811 NCHIP	0	0	0	0	0.00 %	
03476 DCI ICAC Grant	0	0	0	0	0.00 %	
03454 DCI Federal Grants	0	0	0	0	0.00 %	
Federal Special Total	\$1,361,723	\$0	\$0	\$1,361,723	4.41 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$30,850,405	\$0	\$60,000	\$30,910,405		

DCI is supported by a combination of general fund, state special revenue and federal special revenue. General fund supports criminal investigations, fire prevention and investigation, state matching funds for Medicaid fraud investigators, drug task forces, the computer crime unit, sexual and violent offender registry, amber alert, and the child sexual abuse response team. The three largest sources of state special revenue supporting DCI are Montana Law Enforcement Academy

surcharges that support the operation of the academy, Criminal Justice Information Network revenue that supports itself, and revenue from criminal justice background checks that are paid in exchange for completion of the background check. The largest source of federal special revenue is Medicaid funding that supports investigations of Medicaid fraud. Statutory appropriations include funding for state drug forfeitures.

Budget Summary by Category

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the [glossary](#).

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget
2021 Base Budget	7,727,239	7,727,239	15,454,478	91.94 %	14,775,439	14,775,439	29,550,878	95.79 %
SWPL Adjustments	391,718	399,867	791,585	4.71 %	168,453	191,432	359,885	1.17 %
PL Adjustments	0	0	0	0.00 %	223,362	223,341	446,703	1.45 %
New Proposals	138,183	424,756	562,939	3.35 %	68,183	424,756	492,939	1.60 %
Total Budget	\$8,257,140	\$8,551,862	\$16,809,002		\$15,235,437	\$15,614,968	\$30,850,405	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted budget. "Statewide Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments										
	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	373,469	(244,098)	12,565	141,936	0.00	385,187	(231,001)	14,115	168,301
DP 2 - Fixed Costs	0.00	23,943	10,977	3,838	38,758	0.00	19,461	10,346	3,053	32,860
DP 3 - Inflation Deflation	0.00	(3,521)	(5,055)	(218)	(8,794)	0.00	(2,209)	(3,170)	(137)	(5,516)
DP 50 - SWPLA Fixed Cost Reductions	0.00	(2,173)	(917)	(357)	(3,447)	0.00	(2,572)	(1,222)	(419)	(4,213)
DP 51 - Additional 1% Vacancy Savings	0.00	0	0	(6,773)	(6,773)	0.00	0	0	(6,794)	(6,794)
DP 503 - CRISS fees	0.00	0	230,135	0	230,135	0.00	0	230,135	0	230,135
Grand Total All Present Law Adjustments	0.00	\$391,718	(\$8,958)	\$9,055	\$391,815	0.00	\$399,867	\$5,088	\$9,818	\$414,773

***Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 1 - Personal Services -

The legislature made adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding to pay increases in fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, etc. The rates charged for these services are approved in the section of the budget that provides the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 50 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warehouses, storage rooms, and information technology.

DP 51 - Additional 1% Vacancy Savings -

The legislature adopted an additional 1.0% vacancy savings reducing personal services by \$13,567 in federal special revenue.

DP 503 - CRISS fees -

The legislature approved an increase of \$230,135 per fiscal year for the Criminal Records Identification Services Section in the Division of Criminal Investigations. The increase aligns authority with needs for existing livescan, CJIN Switch, NLETS, and LMS fees within the program.

New Proposals

The New Proposals table shows new changes to spending

New Proposals	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 5 - Cigarette Fire Safety Standard Reduction	0.00	0	(28,000)	0	(28,000)	0.00	0	0	0	0
DP 6 - CJIN Budget Authority Reduction	0.00	0	(42,000)	0	(42,000)	0.00	0	0	0	0
DP 5555 - Reduce GF Budget for State Share Holiday OTO	0.00	(138,256)	0	0	(138,256)	0.00	0	0	0	0
DP 19002 - HB 701 Implementation	2.50	276,439	0	0	276,439	5.00	424,756	0	0	424,756
Total	2.50	\$138,183	(\$70,000)	\$0	\$68,183	5.00	\$424,756	\$0	\$0	\$424,756

**"Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 5 - Cigarette Fire Safety Standard Reduction -

The legislature approved a reduction from the cigarette fire safety state special revenue account.

DP 6 - CJIN Budget Authority Reduction -

The legislature approved a reduction in budget authority for the Criminal Justice Information Network (CJIN).

DP 5555 - Reduce GF Budget for State Share Holiday OTO -

The legislature eliminated the state share contribution to the state employee group benefit plan for two months. Reserves are used to pay benefits during the holiday. This change package removes the general fund portion of the savings generated by the suspension of the contributions. Savings from other funding sources, where applicable, remain in agency personal services budgets.

DP 19002 - HB 701 Implementation -

The legislature approved an increase in general fund of \$276,439 in FY 2022 and \$424,756 in FY 2023 for personal services and operating expenses for 2.50 FTE in FY 2022 and 5.00 FTE in FY 2023 for HB 701 in the Division of Criminal Investigation in the Department of Justice.

Program Budget Comparison

The following table compares the 2021 biennium appropriated budget and the 2023 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 20-21	Legislative Budget 22-23	Biennium Change	Biennium % Change
Personal Services	3,416,005	3,013,098	(402,907)	(11.79)%
Operating Expenses	359,401	363,677	4,276	1.19%
Total Expenditures	\$3,775,406	\$3,376,775	(\$398,631)	(10.56)%
Proprietary Funds	3,775,406	3,376,775	(398,631)	(10.56)%
Total Funds	\$3,775,406	\$3,376,775	(\$398,631)	(10.56)%

Program Description

The Agency Legal Services Bureau (ALS) provides legal, hearing examiner, and investigative services to state agency clients on a contract basis. ALS attorneys and investigators bill clients for their services, case-related, and incidental costs. ALS FTE are funded from the revenues generated from services. The customers served are state agencies, boards, and commissions that have entered into contracts with ALS.

The Attorney General is the legal officer for the state per Article VI, Section 4(4), of the Montana Constitution and 2-4-611(2), MCA provides that state agencies may request from the Attorney General's Office a hearing examiner in a contested case. State agencies have the option to use in-house or private counsel and investigators instead of ALS. Executive Order 5-93 provides that agencies must receive approval from the Legal Services Review Committee (made up of a representative of the Attorney General, Budget Director, and the Governor's Chief Legal Counsel) prior to contracting for outside legal services.

Program Highlights

Agency Legal Services Major Budget Highlights
Agency Legal Service's 2023 biennium budget is 10.6% or \$399,000 less than the 2021 biennium budget. Significant changes include a decrease of approximately \$487,000 in statewide present law adjustments for personal services.

Program Actuals and Budget Comparison

The following table compares FY 2020 actual expenditures to the 2021 biennium appropriated budget and the 2023 biennium adopted budget by year, type of expenditure, and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Legislative Fiscal 2022	Legislative Fiscal 2023
FTE	0.00	14.00	14.00	14.00	14.00
Personal Services	1,516,202	1,665,925	1,750,080	1,503,316	1,509,782
Operating Expenses	197,986	179,646	179,755	181,906	181,771
Total Expenditures	\$1,714,188	\$1,845,571	\$1,929,835	\$1,685,222	\$1,691,553
Proprietary Funds	1,714,188	1,845,571	1,929,835	1,685,222	1,691,553
Total Funds	\$1,714,188	\$1,845,571	\$1,929,835	\$1,685,222	\$1,691,553

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 06-Agency Legal Services Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	0	0	0	0	0.00 %
State Special Total	\$0	\$0	\$0	\$0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
06500 Agency Legal Services	0	3,376,775	0	3,376,775	100.00 %
Proprietary Total	\$0	\$3,376,775	\$0	\$3,376,775	100.00 %
Total All Funds	\$0	\$3,376,775	\$0	\$3,376,775	

ALS is funded with non-budgeted proprietary funds from fees charged to state agencies for attorney and paralegal work. For information on the rates charged to state agencies refer to the Other Issues section.

Budget Summary by Category

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the [glossary](#).

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget
2021 Base Budget	0	0	0	0.00 %	1,929,835	1,929,835	3,859,670	114.30 %
SWPL Adjustments	0	0	0	0.00 %	(244,613)	(238,282)	(482,895)	(14.30)%
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	0	0	0	0.00 %	0	0	0	0.00 %
Total Budget	\$0	\$0	\$0		\$1,685,222	\$1,691,553	\$3,376,775	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted budget. "Statewide Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

	Fiscal 2022					Fiscal 2023				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	0	0	0	(246,764)	0.00	0	0	0	(240,298)
DP 2 - Fixed Costs	0.00	0	0	0	2,548	0.00	0	0	0	2,453
DP 3 - Inflation Deflation	0.00	0	0	0	(160)	0.00	0	0	0	(100)
DP 50 - SWPLA Fixed Cost Reductions	0.00	0	0	0	(237)	0.00	0	0	0	(337)
Grand Total All Present Law Adjustments	0.00	\$0	\$0	\$0	(\$244,613)	0.00	\$0	\$0	\$0	(\$238,282)

*"Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 1 - Personal Services -

The legislature made adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding to pay increases in fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, etc. The rates charged for these services are approved in the section of the budget that provides the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 50 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warehouses, storage rooms, and information technology.

Other Issues

Agency Legal Services Bureau 06500

Expenses

The primary costs for ALS are personal services for 14.00 FTE and operating costs. Factors that influence costs include the state pay plan, the ability to recruit and retain staff, and general inflationary pressures that increase costs for items such as utilities, rent, supplies, and equipment. The legislature adopted decreases in the Agency Legal Services Bureau of approximately \$245,000 in FY 2022 and \$238,000 in FY 2023. The decreases are included as part of the statewide present law adjustment for the ALS and are mainly for personal services.

Revenues

Revenues are generated by fees charged to other state agencies for services provided.

Rate(s) and Rate Explanation

For the 2023 biennium the following rates were adopted by the legislature. The rates charged in the base year and those paid by state agencies in FY 2020 are shown for comparison purposes.

Request Rates for Internal Service or Enterprise Funds				
Fee/Rate Information				
	Actuals FY 20	Actuals FY 21	Approved FY 22	Approved FY 23
Fee Description:				
Attorney (per hour)	\$ 106	\$ 106	\$ 121	\$ 121
Investigator (per hour)	\$ 62	\$ 62	\$ 71	\$ 71

The rates approved by the legislature are the maximum the program may charge during the interim. They are not the rates the program must charge.

Program Budget Comparison

The following table compares the 2021 biennium appropriated budget and the 2023 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 20-21	Legislative Budget 22-23	Biennium Change	Biennium % Change
Personal Services	7,582,136	7,451,233	(130,903)	(1.73)%
Operating Expenses	1,648,261	1,671,805	23,544	1.43%
Equipment & Intangible Assets	165,720	165,720	0	0.00%
Debt Service	4,132	0	(4,132)	(100.00)%
Total Expenditures	\$9,400,249	\$9,288,758	(\$111,491)	(1.19)%
State/Other Special Rev. Funds	6,674,211	6,600,527	(73,684)	(1.10)%
Proprietary Funds	2,726,038	2,688,231	(37,807)	(1.39)%
Total Funds	\$9,400,249	\$9,288,758	(\$111,491)	(1.19)%
Total Ongoing	\$9,400,249	\$9,288,758	(\$111,491)	(1.19)%
Total OTO	\$0	\$0	\$0	0.00%

Program Description

The Gambling Control Division (GCD) was established by the 1989 Legislature to regulate the gambling industry in Montana. The division has criminal justice authority and conducts routine field inspections, audits, and investigations related to gambling activities. In addition to collecting and distributing licensing and permit fees for gambling machines and activities, the division collects the gambling tax assessed on the net proceeds of gambling activities. In addition, it conducts investigations related to alcoholic beverage licensing and tobacco enforcement. An appointed Gaming Advisory Council of nine members advises the Attorney General to ensure uniform statewide regulation of gambling activities. The Gambling Control Program is mandated by state law.

Program Highlights

Gambling Control Division' Major Budget Highlights
<p>Gambling Control Division's 2023 biennium budget is 1.2% or \$111,000 less than the 2021 biennium budget. Significant changes include:</p> <ul style="list-style-type: none"> • A reduction of approximately \$183,000, mostly in state special revenue, over the biennium for statewide present law adjustments in personal services • A reduction of about \$2,000, mostly in state special revenue, over the biennium for statewide present law adjustments to fixed costs

Program Actuals and Budget Comparison

The following table compares FY 2020 actual expenditures to the 2021 biennium appropriated budget and the 2023 biennium adopted budget by year, type of expenditure, and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Legislative Fiscal 2022	Legislative Fiscal 2023
FTE	0.00	45.99	45.99	45.99	45.99
Personal Services	3,455,232	3,764,904	3,817,232	3,716,200	3,735,033
Operating Expenses	592,464	821,897	826,364	836,484	835,321
Equipment & Intangible Assets	34,625	82,860	82,860	82,860	82,860
Debt Service	2,475	4,132	0	0	0
Total Expenditures	\$4,084,796	\$4,673,793	\$4,726,456	\$4,635,544	\$4,653,214
State/Other Special Rev. Funds	2,729,527	3,318,410	3,355,801	3,294,272	3,306,255
Proprietary Funds	1,355,269	1,355,383	1,370,655	1,341,272	1,346,959
Total Funds	\$4,084,796	\$4,673,793	\$4,726,456	\$4,635,544	\$4,653,214
Total Ongoing	\$4,084,796	\$4,673,793	\$4,726,456	\$4,635,544	\$4,653,214
Total OTO	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 07-Gambling Control Division Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
General Fund	0	0	0	0	0.00 %	
02074 Gambling License Fee Account	6,328,223	0	3,700,088	10,028,311	97.17 %	
02120 Live Game Tax	0	0	20,000	20,000	0.19 %	
02790 6901-Statewide Tobacco Sttlmnt	272,304	0	0	272,304	2.64 %	
State Special Total	\$6,600,527	\$0	\$3,720,088	\$10,320,615	79.34 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
06005 Liquor Division	2,688,231	0	0	2,688,231	100.00 %	
Proprietary Total	\$2,688,231	\$0	\$0	\$2,688,231	20.66 %	
Total All Funds	\$9,288,758	\$0	\$3,720,088	\$13,008,846		

Gambling control activities are supported primarily by state special revenue generated from gambling licensing fees. Liquor licensing fees (a proprietary fund) support GCD functions related to liquor licensing. A small amount of funds from the tobacco settlement state special revenue account support activities related to enforcement of settlement provisions.

Statutory appropriations of state special revenue provide for distribution of local government portions of gambling license fees.

Budget Summary by Category

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the [glossary](#).

Budget Summary by Category									
Budget Item	-----General Fund-----				-----Total Funds-----				
	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	
2021 Base Budget	0	0	0	0.00 %	4,726,456	4,726,456	9,452,912	101.77 %	
SWPL Adjustments	0	0	0	0.00 %	(90,912)	(73,242)	(164,154)	(1.77)%	
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %	
New Proposals	0	0	0	0.00 %	0	0	0	0.00 %	
Total Budget	\$0	\$0	\$0		\$4,635,544	\$4,653,214	\$9,288,758		

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted budget. "Statewide Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments										
	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	0	(68,703)	0	(101,032)	0.00	0	(55,896)	0	(82,199)
DP 2 - Fixed Costs	0.00	0	7,918	0	11,166	0.00	0	7,366	0	10,388
DP 3 - Inflation Deflation	0.00	0	(8)	0	(8)	0.00	0	(5)	0	(5)
DP 50 - SWPLA Fixed Cost Reductions	0.00	0	(736)	0	(1,038)	0.00	0	(1,011)	0	(1,426)
Grand Total All Present Law Adjustments	0.00	\$0	(\$61,529)	\$0	(\$90,912)	0.00	\$0	(\$49,546)	\$0	(\$73,242)

**Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 1 - Personal Services -

The legislature made adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding to pay increases in fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, etc. The rates charged for these services are approved in the section of the budget that provides the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 50 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warehouses, storage rooms, and information technology.

Program Budget Comparison

The following table compares the 2021 biennium appropriated budget and the 2023 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 20-21	Legislative Budget 22-23	Biennium Change	Biennium % Change
Personal Services	8,822,537	9,472,062	649,525	7.36 %
Operating Expenses	3,880,780	5,443,597	1,562,817	40.27 %
Equipment & Intangible Assets	574,000	232,000	(342,000)	(59.58)%
Debt Service	632,574	632,574	0	0.00 %
Total Expenditures	\$13,909,891	\$15,780,233	\$1,870,342	13.45 %
General Fund	10,463,189	12,586,033	2,122,844	20.29 %
State/Other Special Rev. Funds	3,446,702	3,194,200	(252,502)	(7.33)%
Total Funds	\$13,909,891	\$15,780,233	\$1,870,342	13.45 %
Total Ongoing	\$13,390,228	\$15,730,112	\$2,339,884	17.47 %
Total OTO	\$519,663	\$50,121	(\$469,542)	(90.36)%

Program Description

The Forensic Science Division (FSD), better known as the State Crime Lab, is one of eight divisions within the Department of Justice. It was established in Montana Code in 1977. The division has facilities in both Missoula and Billings. The Missoula facility houses the Medical Examiners, DNA/Serology, Toxicology, Chemical Analysis, Latent Prints, Firearms/ Toolmarks, Quality Assurance, and Evidence sections. The Billings facility contains Medical Examiner, Chemical Analysis, and Evidence sections.

Program Highlights

Forensic Science Division Major Budget Highlights
<p>The Forensic Science Division's 2023 biennium budget is 13.5% or \$1.9 million higher than the 2021 biennium budget. Significant changes include:</p> <ul style="list-style-type: none"> • An increase in general fund of \$1,264,561 in FY 2022 and \$553,244 in FY 2023 and 2.00 FTE in FY 2022 and 4.50 FTE in FY 2023 related to HB 701, recreational marijuana implementation • An increase of approximately \$506,000 in general fund over the biennium and 1.00 FTE for a medical examiner • An increase of \$125,000 in general fund over the biennium to outsource sexual assault kit testing as one-time-only • An increase of \$220,000 in state special revenue over the biennium for a long-term instrument replacement plan replacing aging gas chromatography–mass spectrometry (GC-MS) instruments • A reduction of about \$75,000 in general fund in FY 2022 for the eliminated state share holiday two-month group benefit contribution as one-time-only • A state special revenue fund change to move from the highway nonrestricted account to the Montana Highway Patrol state special revenue account in order to be in compliance with HB 2 language in the 2019 Legislative Session

Program Actuals and Budget Comparison

The following table compares FY 2020 actual expenditures to the 2021 biennium appropriated budget and the 2023 biennium adopted budget by year, type of expenditure, and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Legislative Fiscal 2022	Legislative Fiscal 2023
FTE	0.00	41.30	41.30	44.30	46.80
Personal Services	4,467,403	4,383,568	4,438,969	4,584,732	4,887,330
Operating Expenses	1,604,876	1,857,592	2,023,188	3,183,585	2,260,012
Equipment & Intangible Assets	477,946	568,000	6,000	106,000	126,000
Debt Service	257,487	316,287	316,287	316,287	316,287
Total Expenditures	\$6,807,712	\$7,125,447	\$6,784,444	\$8,190,604	\$7,589,629
General Fund	5,395,389	5,410,361	5,052,828	6,605,428	5,980,605
State/Other Special Rev. Funds	1,412,323	1,715,086	1,731,616	1,585,176	1,609,024
Total Funds	\$6,807,712	\$7,125,447	\$6,784,444	\$8,190,604	\$7,589,629
Total Ongoing	\$6,547,454	\$6,864,493	\$6,525,735	\$8,202,983	\$7,527,129
Total OTO	\$260,258	\$260,954	\$258,709	(\$12,379)	\$62,500

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 08-Forensic Science Division Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	12,586,033	0	0	12,586,033	79.76 %	
02349 Highway Non-Restricted Account	7,423	0	0	7,423	0.23 %	
02945 DOJ Blood draw MCA 61-8-402	522,451	0	0	522,451	16.36 %	
02450 FSD Autopsy and Service Fees	1,863,032	0	0	1,863,032	58.33 %	
02464 MHP Highway State Special	801,294	0	0	801,294	25.09 %	
State Special Total	\$3,194,200	\$0	\$0	\$3,194,200	20.24 %	
03187 BCC Grants To Dept. Of Justice	0	0	0	0	0.00 %	
03561 FSD Federal Grants	0	0	0	0	0.00 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$15,780,233	\$0	\$0	\$15,780,233		

FSD is funded primarily with general fund. The 2017 Legislature established the medical examiner state special revenue account for the operation and administration of the medical examiner’s office. The legislature approved a reduction of \$900,000 in general fund and a like increase in state special revenue that will be used to support this function. The fund’s use is not available to other areas of FSD.

Budget Summary by Category

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the [glossary](#).

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget
2021 Base Budget	5,052,828	5,052,828	10,105,656	80.29 %	6,525,735	6,525,735	13,051,470	82.71 %
SWPL Adjustments	48,585	58,140	106,725	0.85 %	60,854	74,257	135,111	0.86 %
PL Adjustments	314,333	316,393	630,726	5.01 %	314,333	316,393	630,726	4.00 %
New Proposals	1,189,682	553,244	1,742,926	13.85 %	1,289,682	673,244	1,962,926	12.44 %
Total Budget	\$6,605,428	\$5,980,605	\$12,586,033		\$8,190,604	\$7,589,629	\$15,780,233	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted budget. "Statewide Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments										
	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	41,146	11,994	0	53,140	0.00	52,482	15,298	0	67,780
DP 2 - Fixed Costs	0.00	8,553	304	0	8,857	0.00	6,790	949	0	7,739
DP 3 - Inflation Deflation	0.00	(319)	0	0	(319)	0.00	(200)	0	0	(200)
DP 50 - SWPLA Fixed Cost Reductions	0.00	(795)	(29)	0	(824)	0.00	(932)	(130)	0	(1,062)
DP 802 - FSD Sexual Assault Kit outsourcing (OTO)	0.00	62,500	0	0	62,500	0.00	62,500	0	0	62,500
DP 803 - Medical Examiner	1.00	251,833	0	0	251,833	1.00	253,893	0	0	253,893
Grand Total All Present Law Adjustments	1.00	\$362,918	\$12,269	\$0	\$375,187	1.00	\$374,533	\$16,117	\$0	\$390,650

**Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 1 - Personal Services -

The legislature made adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding to pay increases in fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, etc. The rates charged for these services are approved in the section of the budget that provides the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 50 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warehouses, storage rooms, and information technology.

DP 802 - FSD Sexual Assault Kit outsourcing (OTO) -

The legislature approved \$62,500 each fiscal year in the Forensic Science Division to outsource sexual assault kit testing as one-time-only. This will allow the department to increase the amount of tests processed each year in response to legislative requirements.

DP 803 - Medical Examiner -

The legislature approved funding for 1.00 FTE with general fund of \$251,833 in FY 2022 and \$253,893 in FY 2023 for a medical examiner.

New Proposals

The New Proposals table shows new changes to spending

New Proposals	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 801 - FSD Instrument Replacement Plan	0.00	0	100,000	0	100,000	0.00	0	120,000	0	120,000
DP 804 - State Special Revenue Fund Change	0.00	0	0	0	0	0.00	0	0	0	0
DP 5555 - Reduce GF Budget for State Share Holiday OTO	0.00	(74,879)	0	0	(74,879)	0.00	0	0	0	0
DP 19002 - HB 701 Implementation	2.00	1,264,561	0	0	1,264,561	4.50	553,244	0	0	553,244
Total	2.00	\$1,189,682	\$100,000	\$0	\$1,289,682	4.50	\$553,244	\$120,000	\$0	\$673,244

**Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 801 - FSD Instrument Replacement Plan -

The legislature approved a state special revenue increase of \$100,000 in FY 2022 and \$120,000 in FY 2023 for support of the long-term instrument replacement plan replacing aging gas chromatography–mass spectrometry (GC-MS) instruments and allowing the division to continue existing lease agreements.

DP 804 - State Special Revenue Fund Change -

The legislature approved a state special revenue fund change in the Forensic Science Division to move from the highway non- restricted account to the Montana Highway Patrol state special revenue account in order to be in compliance with HB 2 language from the 2019 Legislative Session.

DP 5555 - Reduce GF Budget for State Share Holiday OTO -

The legislature eliminated the state share contribution to the state employee group benefit plan for two months. Reserves are used to pay benefits during the holiday. This change package removes the general fund portion of the savings generated by the suspension of the contributions. Savings from other funding sources, where applicable, remain in agency personal services budgets.

DP 19002 - HB 701 Implementation -

The legislature approved an increase in general fund by \$1,264,561 in FY 2022 and \$553,244 in FY 2023 and 2.00 FTE in FY 2022 and 4.50 FTE in FY 2023 for personal services and operating expenses related to HB 701.

Program Budget Comparison

The following table compares the 2021 biennium appropriated budget and the 2023 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 20-21	Legislative Budget 22-23	Biennium Change	Biennium % Change
Personal Services	20,455,844	18,024,998	(2,430,846)	(11.88)%
Operating Expenses	26,937,811	26,254,235	(683,576)	(2.54)%
Equipment & Intangible Assets	328,056	328,056	0	0.00 %
Capital Outlay	87,184	0	(87,184)	(100.00)%
Local Assistance	50,000	50,000	0	0.00 %
Transfers	405,844	408,124	2,280	0.56 %
Total Expenditures	\$48,264,739	\$45,065,413	(\$3,199,326)	(6.63)%
General Fund	17,846,301	10,235,894	(7,610,407)	(42.64)%
State/Other Special Rev. Funds	29,235,128	33,711,080	4,475,952	15.31 %
Proprietary Funds	1,183,310	1,118,439	(64,871)	(5.48)%
Total Funds	\$48,264,739	\$45,065,413	(\$3,199,326)	(6.63)%
Total Ongoing	\$48,264,739	\$45,258,168	(\$3,006,571)	(6.23)%
Total OTO	\$0	(\$192,755)	(\$192,755)	100.00 %

Program Description

The Motor Vehicle Division (MVD), under provision of Title 61 and Title 23, MCA and federal statutes (such as the Commercial Motor Vehicle Safety Act of 1986, child support regulations, Anti Car Theft Act of 1992, and Odometer Disclosure Act), is responsible for:

- Examination and licensure of all drivers
- Verification of identification
- Creation and maintenance of permanent driver and motor vehicle records
- Titling and registration of all vehicles including boats, snowmobiles, and ATVs
- Inspection and verification of vehicle identification numbers
- Licensure and compliance control of motor vehicle dealers and manufacturers
- Providing motor voter registration

Program Highlights

Motor Vehicle Division Major Budget Highlights
<p>The Motor Vehicle Division's 2023 biennium budget is 6.6% or \$3.2 million less than the 2021 biennium budget. Significant changes include:</p> <ul style="list-style-type: none"> • A reduction of approximately \$2.4 million over the biennium for statewide present law adjustments in personal services • A fund switch of \$4.95 million from general fund to state special revenue fund in FY 2022 • A reduction of \$400,000 in general fund over the biennium • A reduction of about \$589,000 in state special revenue over the biennium • A reduction of approximately \$193,000 in general fund in FY 2022 for the eliminated state share holiday two-month group benefit contribution as one-time-only

Program Actuals and Budget Comparison

The following table compares FY 2020 actual expenditures to the 2021 biennium appropriated budget and the 2023 biennium adopted budget by year, type of expenditure, and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Legislative Fiscal 2022	Legislative Fiscal 2023
FTE	0.00	152.05	152.05	152.05	152.05
Personal Services	10,096,117	10,130,101	10,325,743	8,903,268	9,121,730
Operating Expenses	12,693,099	13,425,099	13,512,712	13,094,020	13,160,215
Equipment & Intangible Assets	146,768	164,028	164,028	164,028	164,028
Capital Outlay	74,670	87,184	0	0	0
Local Assistance	0	25,000	25,000	25,000	25,000
Transfers	201,782	201,782	204,062	204,062	204,062
Total Expenditures	\$23,212,436	\$24,033,194	\$24,231,545	\$22,390,378	\$22,675,035
General Fund	8,442,994	8,847,142	8,999,159	2,555,271	7,680,623
State/Other Special Rev. Funds	14,187,658	14,594,397	14,640,731	19,270,876	14,440,204
Proprietary Funds	581,784	591,655	591,655	564,231	554,208
Total Funds	\$23,212,436	\$24,033,194	\$24,231,545	\$22,390,378	\$22,675,035
Total Ongoing	\$23,212,436	\$24,033,194	\$24,231,545	\$22,583,133	\$22,675,035
Total OTO	\$0	\$0	\$0	(\$192,755)	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 09-Motor Vehicle Division Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	10,235,894	0	0	10,235,894	22.66 %	
02390 Spec Motorcycle Lic Plates	0	0	107,000	107,000	0.32 %	
02456 61-6-158 MTIVS & MCE	9,325,385	0	0	9,325,385	27.58 %	
02546 MT Law Enforcement Academy	67	0	0	67	0.00 %	
02798 61-3-550 MVD MERLIN HB261	4,193,109	0	0	4,193,109	12.40 %	
02799 Motor Vehicle Administration	15,242,519	0	0	15,242,519	45.07 %	
02464 MHP Highway State Special	0	0	0	0	0.00 %	
02796 MVD Real ID	4,950,000	0	0	4,950,000	14.64 %	
State Special Total	\$33,711,080	\$0	\$107,000	\$33,818,080	74.86 %	
03560 MVD Federal Grants	0	0	0	0	0.00 %	
03801 Dept Of Justice-Misc Grants	0	0	0	0	0.00 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
06083 61-3-118 MVD E-Commerce	1,118,439	0	0	1,118,439	100.00 %	
Proprietary Total	\$1,118,439	\$0	\$0	\$1,118,439	2.48 %	
Total All Funds	\$45,065,413	\$0	\$107,000	\$45,172,413		

Drivers licensing, vehicle titling and registration functions are supported by the general fund and MVD administrative fee state special revenue account. State special revenues collected for vehicle registration fees support payment of debt that was incurred for the development and implementation of the computer system known as the Montana Enhanced Registration and Licensing Information Network (MERLIN) and the vehicle insurance verification system. Proprietary funds collected from fees charged for e-government services support online web-based services that may be used by the public.

Budget Summary by Category

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the [glossary](#).

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget
2021 Base Budget	8,999,159	8,999,159	17,998,318	175.84 %	24,231,545	24,231,545	48,463,090	107.54 %
SWPL Adjustments	(1,101,133)	(1,118,536)	(2,219,669)	(21.69)%	(1,109,412)	(1,106,407)	(2,215,819)	(4.92)%
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	(5,342,755)	(200,000)	(5,542,755)	(54.15)%	(731,755)	(450,103)	(1,181,858)	(2.62)%
Total Budget	\$2,555,271	\$7,680,623	\$10,235,894		\$22,390,378	\$22,675,035	\$45,065,413	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted budget. "Statewide Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(1,157,561)	(37,061)	0	(1,229,720)	0.00	(1,164,089)	3,723	0	(1,204,013)
DP 2 - Fixed Costs	0.00	64,427	66,947	0	140,171	0.00	54,258	56,410	0	118,075
DP 3 - Inflation Deflation	0.00	(2,011)	(4,537)	0	(6,853)	0.00	(1,261)	(2,845)	0	(4,297)
DP 50 - SWPLA Fixed Cost Reductions	0.00	(5,988)	(6,204)	0	(13,010)	0.00	(7,444)	(7,712)	0	(16,172)
Grand Total All Present Law Adjustments	0.00	(\$1,101,133)	\$19,145	\$0	(\$1,109,412)	0.00	(\$1,118,536)	\$49,576	\$0	(\$1,106,407)

***Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 1 - Personal Services -

The legislature made adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding to pay increases in fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, etc. The rates charged for these services are approved in the section of the budget that provides the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 50 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warehouses, storage rooms, and information technology.

New Proposals

The New Proposals table shows new changes to spending

	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 901 - Fund Switch from General Fund to REAL ID Fund	0.00	(4,950,000)	4,950,000	0	0	0.00	0	0	0	0
DP 903 - MVD General Fund Reduction	0.00	(200,000)	0	0	(200,000)	0.00	(200,000)	0	0	(200,000)
DP 904 - MVD State Special Revenue Reduction	0.00	0	(339,000)	0	(339,000)	0.00	0	(250,103)	0	(250,103)
DP 5555 - Reduce GF Budget for State Share Holiday OTO	0.00	(192,755)	0	0	(192,755)	0.00	0	0	0	0
Total	0.00	(\$5,342,755)	\$4,611,000	\$0	(\$731,755)	0.00	(\$200,000)	(\$250,103)	\$0	(\$450,103)

***Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 901 - Fund Switch from General Fund to REAL ID Fund -

The legislature approved a one-time fund switch in FY 2022 to reduce general fund by \$4.95 million and replace funding with \$4.95 million from the department's REAL ID fund to spend down available fund balance.

DP 903 - MVD General Fund Reduction -

The legislature approved a reduction in general fund in the Motor Vehicle Division.

DP 904 - MVD State Special Revenue Reduction -

The legislature approved a reduction of state special revenue in the Motor Vehicle Division.

DP 5555 - Reduce GF Budget for State Share Holiday OTO -

The legislature eliminated the state share contribution to the state employee group benefit plan for two months. Reserves are used to pay benefits during the holiday. This change package removes the general fund portion of the savings generated by the suspension of the contributions. Savings from other funding sources, where applicable, remain in agency personal services budgets.

Program Budget Comparison

The following table compares the 2021 biennium appropriated budget and the 2023 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 20-21	Legislative Budget 22-23	Biennium Change	Biennium % Change
Personal Services	3,682,336	2,839,323	(843,013)	(22.89)%
Operating Expenses	2,150,985	1,916,089	(234,896)	(10.92)%
Total Expenditures	\$5,833,321	\$4,755,412	(\$1,077,909)	(18.48)%
General Fund	3,833,006	3,449,489	(383,517)	(10.01)%
State/Other Special Rev. Funds	1,927,193	1,255,249	(671,944)	(34.87)%
Proprietary Funds	73,122	50,674	(22,448)	(30.70)%
Total Funds	\$5,833,321	\$4,755,412	(\$1,077,909)	(18.48)%
Total Ongoing	\$5,833,321	\$4,764,751	(\$1,068,570)	(18.32)%
Total OTO	\$0	(\$9,339)	(\$9,339)	100.00 %

Program Description

The Central Services Division (CSD) provides accounting, asset management, budgeting, fiscal management, human resources, internal controls, payroll and benefits, purchasing, training, and assistance with the implementation of policies, rules, and regulations for the Department of Justice. The program also administers payments to counties for a portion of the cost of county attorney payroll costs.

Program Highlights

Central Services Division Major Budget Highlights
<p>Central Services Division's 2023 biennium budget is 18.5% or \$1.1 million less than the 2021 biennium budget. Significant changes include:</p> <ul style="list-style-type: none"> • Overall, the legislature adopted a 5.0% reduction in personal services for anticipated vacancy savings. In addition to the 4.0% vacancy savings included in the executive budget, the legislature approved an additional 1.0% vacancy savings of approximately \$812,000, with \$430,000 in general fund and \$357,000 in state special revenue over the biennium in the Central Services Division with language allowing the agency to allocate the reduction among its various programs • An increase of approximately \$41,000 over the biennium for the natural resource information system (NRIS) and the geographic information system (GIS) as a fixed cost • A reduction of about \$10,000 over the biennium, the majority in general fund, for reductions in statewide present law adjustments for fixed costs • A reduction of about \$9,000 in general fund in FY 2022 for the eliminated state share holiday two-month group contribution as one-time-only

Program Actuals and Budget Comparison

The following table compares FY 2020 actual expenditures to the 2021 biennium appropriated budget and the 2023 biennium adopted budget by year, type of expenditure, and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Legislative Fiscal 2022	Legislative Fiscal 2023
FTE	0.00	20.49	20.49	20.49	20.49
Personal Services	1,745,561	1,896,109	1,786,227	1,413,551	1,425,772
Operating Expenses	859,507	1,261,964	889,021	1,003,211	912,878
Total Expenditures	\$2,605,068	\$3,158,073	\$2,675,248	\$2,416,762	\$2,338,650
General Fund	1,822,006	1,986,270	1,846,736	1,764,133	1,685,356
State/Other Special Rev. Funds	746,780	1,135,505	791,688	627,302	627,947
Proprietary Funds	36,282	36,298	36,824	25,327	25,347
Total Funds	\$2,605,068	\$3,158,073	\$2,675,248	\$2,416,762	\$2,338,650
Total Ongoing	\$2,605,068	\$3,158,073	\$2,675,248	\$2,426,101	\$2,338,650
Total OTO	\$0	\$0	\$0	(\$9,339)	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 10-Central Services Division Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	3,449,489	0	7,377,100	10,826,589	85.70 %	
02006 Cigarette Fire Safety Standard	(16,030)	0	0	(16,030)	(1.06)%	
02014 Highway Patrol Pay & Retention	123,503	0	0	123,503	8.20 %	
02016 Criminal Justice Info Network	0	0	0	0	0.00 %	
02074 Gambling License Fee Account	127,342	0	0	127,342	8.46 %	
02140 Consumer Education Settlement	306,387	0	0	306,387	20.35 %	
02143 Drug Forfeitures-State	0	0	250,000	250,000	16.61 %	
02349 Highway Non-Restricted Account	(6,100)	0	0	(6,100)	(0.41)%	
02456 61-6-158 MTIVS & MCE	(124,973)	0	0	(124,973)	(8.30)%	
02546 MT Law Enforcement Academy	0	0	0	0	0.00 %	
02790 6901-Statewide Tobacco Sttlmnt	(42,620)	0	0	(42,620)	(2.83)%	
02797 Criminal Records Info Sys	163,104	0	0	163,104	10.84 %	
02798 61-3-550 MVD MERLIN HB261	(4,573)	0	0	(4,573)	(0.30)%	
02937 DOJ Misc SSR MOUs	(22,139)	0	0	(22,139)	(1.47)%	
02945 DOJ Blood draw MCA 61-8-402	(2,283)	0	0	(2,283)	(0.15)%	
02799 Motor Vehicle Administration	518,890	0	0	518,890	34.47 %	
02450 FSD Autopsy and Service Fees	(14,048)	0	0	(14,048)	(0.93)%	
02464 MHP Highway State Special	248,789	0	0	248,789	16.53 %	
State Special Total	\$1,255,249	\$0	\$250,000	\$1,505,249	11.92 %	
03169 Federal Crime Victims Benefits	0	0	0	0	0.00 %	
03187 BCC Grants To Dept. Of Justice	0	0	0	0	0.00 %	
03214 DCI Federal Forfeitures	0	0	250,000	250,000	100.00 %	
03800 Medicaid Fraud	0	0	0	0	0.00 %	
Federal Special Total	\$0	\$0	\$250,000	\$250,000	1.98 %	
06005 Liquor Division	52,496	0	0	52,496	103.60 %	
06083 61-3-118 MVD E-Commerce	(1,822)	0	0	(1,822)	(3.60)%	
06500 Agency Legal Services	0	0	0	0	0.00 %	
Proprietary Total	\$50,674	\$0	\$0	\$50,674	0.40 %	
Total All Funds	\$4,755,412	\$0	\$7,877,100	\$12,632,512		

CSD is funded by an allocation of costs among the various funding sources supporting the department including general

fund and state special revenue. The largest source of state special revenue is the MVD administrative fee. Proprietary funds, including liquor licensing fees, provide the remainder of HB 2 funding.

General fund also accounts for an additional \$7.4 million in funding under a statutory appropriation that funds roughly half of county attorney’s salaries and contributions to group benefits.

Budget Summary by Category

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the [glossary](#).

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget
2021 Base Budget	1,846,736	1,846,736	3,693,472	107.07 %	2,675,248	2,675,248	5,350,496	112.51 %
SWPL Adjustments	120,843	34,638	155,481	4.51 %	134,777	50,217	184,994	3.89 %
PL Adjustments	(214,007)	(215,918)	(429,925)	(12.46)%	(404,311)	(407,202)	(811,513)	(17.07)%
New Proposals	10,561	19,900	30,461	0.88 %	11,048	20,387	31,435	0.66 %
Total Budget	\$1,764,133	\$1,685,356	\$3,449,489		\$2,416,762	\$2,338,650	\$4,755,412	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted budget. "Statewide Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments	-----Fiscal 2022-----				-----Fiscal 2023-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	28,285	12,125	0	40,974	0.00	32,271	13,833	0	46,747
DP 2 - Fixed Costs	0.00	102,206	1,312	0	103,579	0.00	2,851	1,222	0	4,130
DP 3 - Inflation Deflation	0.00	(149)	0	0	(149)	0.00	(93)	0	0	(93)
DP 50 - SWPLA Fixed Cost Reductions	0.00	(9,499)	(122)	0	(9,627)	0.00	(391)	(168)	0	(567)
DP 51 - Additional 1% Vacancy Savings	0.00	(214,007)	(178,188)	0	(404,311)	0.00	(215,918)	(179,115)	0	(407,202)
Grand Total All Present Law Adjustments	0.00	(\$93,164)	(\$164,873)	\$0	(\$269,534)	0.00	(\$181,280)	(\$164,228)	\$0	(\$356,985)

**Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 1 - Personal Services -

The legislature made adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding to pay increases in fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, etc. The rates charged for these services are approved in the section of the budget that provides the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 50 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warehouses, storage rooms, and information technology.

DP 51 - Additional 1% Vacancy Savings -

The legislature adopted an additional 1.0% vacancy savings reducing personal services by \$811,513 with \$429,925 in general fund, \$357,303 in state special revenue, and \$24,285 in proprietary funds.

New Proposals

The New Proposals table shows new changes to spending

New Proposals	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1002 - NRIS/GIS Fixed Costs	0.00	19,900	487	0	20,387	0.00	19,900	487	0	20,387
DP 5555 - Reduce GF Budget for State Share Holiday OTO	0.00	(9,339)	0	0	(9,339)	0.00	0	0	0	0
Total	0.00	\$10,561	\$487	\$0	\$11,048	0.00	\$19,900	\$487	\$0	\$20,387

*"Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 1002 - NRIS/GIS Fixed Costs -

The 2019 Legislature enacted HB 633 requiring the Legislative Finance Committee (LFC) to conduct a study of the funding of digital library services. The LFC recommended that the Office of Budget and Program Planning include an assessment for the natural resource information system (NRIS) and the geographic information system (GIS) as a fixed cost to state agencies beginning in the 2023 biennium. The assessment is made to those agencies that utilize the NRIS/GIS.

DP 5555 - Reduce GF Budget for State Share Holiday OTO -

The legislature eliminated the state share contribution to the state employee group benefit plan for two months. Reserves are used to pay benefits during the holiday. This change package removes the general fund portion of the savings generated by the suspension of the contributions. Savings from other funding sources, where applicable, remain in agency personal services budgets.