

The tables generated in the following narrative reflect the January 7th budget. A summary following the Biennium Comparison highlights the differences between:

- Changes between the November 15th preliminary budget analyzed in the Legislative Fiscal Division (LFD) 2023 Biennium Budget Analysis and the December 15th budget submission
- Changes between the December 15th budget submission and the January 7th budget submission

Agency Biennium Comparison

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

Agency Biennium Comparison				
Budget Item	Appropriated Budget 20-21	Requested Budget 22-23	Biennium Change	Biennium % Change
Personal Services	52,561,797	55,142,034	2,580,237	4.91 %
Operating Expenses	23,160,700	22,957,883	(202,817)	(0.88)%
Total Expenditures	\$75,722,497	\$78,099,917	\$2,377,420	3.14 %
General Fund	75,722,497	78,099,917	2,377,420	3.14 %
Total Funds	\$75,722,497	\$78,099,917	\$2,377,420	3.14 %
Total Ongoing	\$75,256,949	\$78,099,917	\$2,842,968	3.78 %
Total OTO	\$465,548	\$0	(\$465,548)	(100.00)%

Agency Actuals and Budget Comparison

The following table compares the last full fiscal year actuals, previous biennium appropriations by year, and current annual biennium budget request by type of expenditure and source of funding.

Agency Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Request Fiscal 2022	Request Fiscal 2023
FTE	0.00	302.44	302.44	302.44	302.44
Personal Services	24,519,642	25,029,308	27,532,489	27,209,410	27,932,624
Operating Expenses	11,806,709	12,346,330	10,814,370	11,493,752	11,464,131
Total Expenditures	\$36,326,351	\$37,375,638	\$38,346,859	\$38,703,162	\$39,396,755
General Fund	36,326,351	37,375,638	38,346,859	38,703,162	39,396,755
Total Funds	\$36,326,351	\$37,375,638	\$38,346,859	\$38,703,162	\$39,396,755
Total Ongoing	\$36,175,126	\$37,141,468	\$38,115,481	\$38,703,162	\$39,396,755
Total OTO	\$151,225	\$234,170	\$231,378	\$0	\$0

Page Reference

Legislative Budget Analysis, D-88.

Budget Changes

Changes between the November 15th preliminary budget and the December 15^h budget submission include:

- Elimination of the proposed 2.0% vacancy savings, increasing personal services and general fund by \$1,161,610 when compared to the 2021 biennium
- The elimination of vacancy savings increased personal services and general fund by \$579,840 in FY 2022 and \$581,770 in FY 2023

Changes between the December 15th and January 7th budget submissions include:

- A proposed 4.0% vacancy savings reduction taken against personal services. This proposal reduces general fund and personal services by \$2,323,571 when compared to the 2021 biennium
- The proposed 4.0% vacancy savings reduction in personal services reduces personal services and state special by \$1,159,866 in FY 2022 and \$1,163,705 in FY 2023
- The executive is requesting \$800,431 in general fund for caseload growth
- The executive is requesting a reduction of \$631,706 in state share holiday as one time only

Funding

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

Total Office of State Public Defender Funding by Source of Authority 2023 Biennium Budget Request - Office of State Public Defender						
Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	78,099,917	0	0	0	78,099,917	100.00 %
State Special Total	0	0	0	0	0	0.00 %
Federal Special Total	0	0	0	0	0	0.00 %
Proprietary Total	0	0	0	0	0	0.00 %
Other Total	0	0	0	0	0	0.00 %
Total All Funds	\$78,099,917	\$0	\$0	\$0	\$78,099,917	
Percent - Total All Sources	100.00 %	0.00 %	0.00 %	0.00 %		

The Office of Public Defender is funded solely from general fund.

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	38,115,481	38,115,481	76,230,962	97.61 %	38,115,481	38,115,481	76,230,962	97.61 %
SWPL Adjustments	412,376	435,507	847,883	1.09 %	412,376	435,507	847,883	1.09 %
PL Adjustments	807,011	845,767	1,652,778	2.12 %	807,011	845,767	1,652,778	2.12 %
New Proposals	(631,706)	0	(631,706)	(0.81)%	(631,706)	0	(631,706)	(0.81)%
Total Budget	\$38,703,162	\$39,396,755	\$78,099,917		\$38,703,162	\$39,396,755	\$78,099,917	

Program Biennium Comparison

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

Program Biennium Comparison				
Budget Item	Appropriated Budget 20-21	Requested Budget 22-23	Biennium Change	Biennium % Change
Personal Services	39,157,053	41,685,008	2,527,955	6.46 %
Operating Expenses	7,887,668	6,193,553	(1,694,115)	(21.48)%
Total Expenditures	\$47,044,721	\$47,878,561	\$833,840	1.77 %
General Fund	47,044,721	47,878,561	833,840	1.77 %
Total Funds	\$47,044,721	\$47,878,561	\$833,840	1.77 %
Total Ongoing	\$46,647,961	\$47,878,561	\$1,230,600	2.64 %
Total OTO	\$396,760	\$0	(\$396,760)	(100.00)%

Page Reference

Legislative Budget Analysis, D-95.

Budget Changes

Changes between the November 15th preliminary budget and the December 15^h budget submission include:

- Elimination of the proposed 2.0% vacancy savings, increasing personal services and general fund by \$878,217 when compared to the 2021 biennium
- The elimination of vacancy savings increased personal services and general fund by \$438,404 in FY 2022 and \$439,813 in FY 2023

Changes between the December 15th and January 7th budget submissions include:

- A proposed 4.0% vacancy savings reduction taken against personal services. This proposal reduces general fund and personal services by \$1,756,712 when compared to the 2021 biennium
- The proposed 4.0% vacancy savings reduction in personal services reduces personal services and state special by \$876,956 in FY 2022 and \$879,756 in FY 2023
- The executive is requesting \$544,892 in general fund for caseload growth
- The executive is requesting a reduction of \$482,252 in FY 2022 in state share holiday 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 budget request by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Request Fiscal 2022	Request Fiscal 2023
FTE	0.00	230.94	230.94	230.94	230.94
Personal Services	18,367,608	18,451,831	20,705,222	20,568,068	21,116,940
Operating Expenses	4,752,928	4,946,055	2,941,613	3,083,186	3,110,367
Total Expenditures	\$23,120,536	\$23,397,886	\$23,646,835	\$23,651,254	\$24,227,307
General Fund	23,120,536	23,397,886	23,646,835	23,651,254	24,227,307
Total Funds	\$23,120,536	\$23,397,886	\$23,646,835	\$23,651,254	\$24,227,307
Total Ongoing	\$23,023,217	\$23,232,504	\$23,415,457	\$23,651,254	\$24,227,307
Total OTO	\$97,319	\$165,382	\$231,378	\$0	\$0

Funding

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

Office of State Public Defender, 01-Public Defender Division Funding by Source of Authority						
Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	47,878,561	0	0	0	47,878,561	100.00 %
State Special Total	\$0	\$0	\$0	\$0	\$0	0.00 %
03664 Title IV-E from DPHHS	0	0	0	0	0	0.00 %
03709 OPD Treatment Courts	0	0	0	0	0	0.00 %
03291 COVID Relief	0	0	0	0	0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$47,878,561	\$0	\$0	\$0	\$47,878,561	

The Public Defender Division is funded solely from general fund.

Program 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	23,415,457	23,415,457	46,830,914	97.81 %	23,415,457	23,415,457	46,830,914	97.81 %
SWPL Adjustments	345,098	411,718	756,816	1.58 %	345,098	411,718	756,816	1.58 %
PL Adjustments	372,951	400,132	773,083	1.61 %	372,951	400,132	773,083	1.61 %
New Proposals	(482,252)	0	(482,252)	(1.01)%	(482,252)	0	(482,252)	(1.01)%
Total Budget	\$23,651,254	\$24,227,307	\$47,878,561		\$23,651,254	\$24,227,307	\$47,878,561	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the proposed 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	345,098	0	0	345,098	0.00	411,718	0	0	411,718
DP 5 - Caseload Growth	0.00	268,770	0	0	268,770	0.00	276,122	0	0	276,122
DP 10 - Lease Increases	0.00	104,181	0	0	104,181	0.00	124,010	0	0	124,010
Grand Total All Present Law Adjustments	0.00	\$718,049	\$0	\$0	\$718,049	0.00	\$811,850	\$0	\$0	\$811,850

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

DP 1 - Personal Services -

The executive requests adjustments to the present law personal services budget. This request has been broken into the following categories:

- Expected changes
- Personal services management decisions
- Modifications made to the personal services budget in the 2021 biennium

DP 5 - Caseload Growth -

The executive proposes \$268,770 in FY 2022 and \$276,122 in FY 2023 to reflect a 1.0% caseload growth. This request will fund contract attorney services, holistic defense services, mental health evaluations, and chemical dependency evaluations. Governor Gianforte reduced the caseload growth increase from 3% to 1%.

DP 10 - Lease Increases -

The executive requests \$104,181 in FY 2022 and \$124,010 in FY 2023 for office lease increases in the Public Defender Division due to contractual 1.5% inflation factors.

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 5555 - Reduce GF Budget for State Share Holiday OTO	0.00	(482,252)	0	0	(482,252)	0.00	0	0	0	0
Total	0.00	(\$482,252)	\$0	\$0	(\$482,252)	0.00	\$0	\$0	\$0	\$0

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

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

The Governor has proposed legislation to impose a two-month state share holiday for employer contributions into the state health insurance fund. This change package removes the general fund portion of the savings generate by the contribution holiday. Savings from other funding sources will remain in the agency to be able to address ongoing functions of the agency. This change package is contingent on passage and approval of the proposed legislation.

Program Biennium Comparison

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

Program Biennium Comparison				
Budget Item	Appropriated Budget 20-21	Requested Budget 22-23	Biennium Change	Biennium % Change
Personal Services	3,370,139	3,399,470	29,331	0.87 %
Operating Expenses	1,460,911	1,499,239	38,328	2.62 %
Total Expenditures	\$4,831,050	\$4,898,709	\$67,659	1.40 %
General Fund	4,831,050	4,898,709	67,659	1.40 %
Total Funds	\$4,831,050	\$4,898,709	\$67,659	1.40 %
Total Ongoing	\$4,831,050	\$4,898,709	\$67,659	1.40 %
Total OTO	\$0	\$0	\$0	0.00 %

Page Reference

Legislative Budget Analysis, D-99.

Budget Changes

Changes between the November 15th preliminary budget and the December 15^h budget submission include:

- Elimination of the proposed 2.0% vacancy savings, increasing personal services and general fund by \$71,621 when compared to the 2021 biennium
- The elimination of vacancy savings increased personal services and general fund by \$35,766 in FY 2022 and \$35,855 in FY 2023

Changes between the December 15th and January 7th budget submissions include:

- A proposed 4.0% vacancy savings reduction taken against personal services. This proposal reduces general fund and personal services by \$143,256 when compared to the 2021 biennium
- The proposed 4.0% vacancy savings reduction in personal services reduces personal services and state special by \$71,539 in FY 2022 and \$71,717 in FY 2023
- The executive is requesting \$53,998 in general fund for caseload growth
- The executive is requesting a reduction of \$39,087 in FY 2022 in state share holiday 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 budget request by type of expenditure and source of funding.

Program Actuals and Budget Comparison						
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Request Fiscal 2022	Request Fiscal 2023	
FTE	0.00	17.50	17.50	17.50	17.50	17.50
Personal Services	1,618,992	1,618,991	1,751,148	1,678,061	1,721,409	
Operating Expenses	704,358	773,847	687,064	748,780	750,459	
Total Expenditures	\$2,323,350	\$2,392,838	\$2,438,212	\$2,426,841	\$2,471,868	
General Fund	2,323,350	2,392,838	2,438,212	2,426,841	2,471,868	
Total Funds	\$2,323,350	\$2,392,838	\$2,438,212	\$2,426,841	\$2,471,868	
Total Ongoing	\$2,323,350	\$2,392,838	\$2,438,212	\$2,426,841	\$2,471,868	
Total OTO	\$0	\$0	\$0	\$0	\$0	\$0

Funding

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

Office of State Public Defender, 02-Appellate Defender Division Funding by Source of Authority						
Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	4,898,709	0	0	0	4,898,709	100.00 %
State Special Total	\$0	\$0	\$0	\$0	\$0	0.00 %
03291 COVID Relief	0	0	0	0	0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$4,898,709	\$0	\$0	\$0	\$4,898,709	

The Appellate Defender Division is funded solely from general fund.

Program 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	2,438,212	2,438,212	4,876,424	99.55 %	2,438,212	2,438,212	4,876,424	99.55 %
SWPL Adjustments	(34,000)	(29,739)	(63,739)	(1.30)%	(34,000)	(29,739)	(63,739)	(1.30)%
PL Adjustments	61,716	63,395	125,111	2.55 %	61,716	63,395	125,111	2.55 %
New Proposals	(39,087)	0	(39,087)	(0.80)%	(39,087)	0	(39,087)	(0.80)%
Total Budget	\$2,426,841	\$2,471,868	\$4,898,709		\$2,426,841	\$2,471,868	\$4,898,709	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the proposed 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	(34,000)	0	0	(34,000)	0.00	(29,739)	0	0	(29,739)
DP 5 - Caseload Growth	0.00	26,600	0	0	26,600	0.00	27,398	0	0	27,398
DP 10 - Lease Increases	0.00	35,116	0	0	35,116	0.00	35,997	0	0	35,997
Grand Total All Present Law Adjustments	0.00	\$27,716	\$0	\$0	\$27,716	0.00	\$33,656	\$0	\$0	\$33,656

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

DP 1 - Personal Services -

The executive requests adjustments to the present law personal services budget. This request has been broken into the following categories:

- Expected changes
- Personal services management decisions
- Modifications made to the personal services budget in the 2021 biennium

DP 5 - Caseload Growth -

The Appellate Defender Division is requesting \$26,600 in FY 2022 and \$27,398 in FY 2023 to reflect a 1.0% caseload growth. This request will fund transcript services and contract attorney services. Governor Gianforte decreased the caseload increase from 3% to 1%.

DP 10 - Lease Increases -

The executive requests \$35,116 in FY 2022 and \$35,997 in FY 2023 for office lease increases in the Appellate Defender Division due to contractual 1.5% inflation factors.

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 5555 - Reduce GF Budget for State Share Holiday OTO	0.00	(39,087)	0	0	(39,087)	0.00	0	0	0	0
Total	0.00	(\$39,087)	\$0	\$0	(\$39,087)	0.00	\$0	\$0	\$0	\$0

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

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

The Governor has proposed legislation to impose a two-month state share holiday for employer contributions into the state health insurance fund. This change package removes the general fund portion of the savings generate by the contribution holiday. Savings from other funding sources will remain in the agency to be able to address ongoing functions of the agency. This change package is contingent on passage and approval of the proposed legislation.

Program Biennium Comparison

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

Program Biennium Comparison				
Budget Item	Appropriated Budget 20-21	Requested Budget 22-23	Biennium Change	Biennium % Change
Personal Services	6,117,558	6,094,597	(22,961)	(0.38)%
Operating Expenses	11,220,449	12,134,981	914,532	8.15 %
Total Expenditures	\$17,338,007	\$18,229,578	\$891,571	5.14 %
General Fund	17,338,007	18,229,578	891,571	5.14 %
Total Funds	\$17,338,007	\$18,229,578	\$891,571	5.14 %
Total Ongoing	\$17,270,991	\$18,229,578	\$958,587	5.55 %
Total OTO	\$67,016	\$0	(\$67,016)	(100.00)%

Page Reference

Legislative Budget Analysis, D-103.

Budget Changes

Changes between the November 15th preliminary budget and the December 15^h budget submission include:

- Elimination of the proposed 2.0% vacancy savings, increasing personal services and general fund by \$128,190 when compared to the 2021 biennium
- The elimination of vacancy savings increased personal services and general fund by \$63,973 in FY 2022 and \$64,217 in FY 2023

Changes between the December 15th and January 7th budget submissions include:

- A proposed 4.0% vacancy savings reduction taken against personal services. This proposal reduces general fund and personal services by \$256,416 when compared to the 2021 biennium
- The proposed 4.0% vacancy savings reduction in personal services reduces personal services and state special by \$127,965 in FY 2022 and \$128,451 in FY 2023
- The executive is requesting \$201,541 in general fund for caseload growth
- The executive is requesting a reduction of \$60,304 in FY 2022 in state share holiday 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 budget request by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Request Fiscal 2022	Request Fiscal 2023
FTE	0.00	31.00	31.00	31.00	31.00
Personal Services	2,526,984	2,943,396	3,174,162	3,011,351	3,083,246
Operating Expenses	5,356,944	5,374,755	5,845,694	6,063,217	6,071,764
Total Expenditures	\$7,883,928	\$8,318,151	\$9,019,856	\$9,074,568	\$9,155,010
General Fund	7,883,928	8,318,151	9,019,856	9,074,568	9,155,010
Total Funds	\$7,883,928	\$8,318,151	\$9,019,856	\$9,074,568	\$9,155,010
Total Ongoing	\$7,831,794	\$8,251,135	\$9,019,856	\$9,074,568	\$9,155,010
Total OTO	\$52,134	\$67,016	\$0	\$0	\$0

Funding

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

Office of State Public Defender, 03-Conflict Defender Division Funding by Source of Authority						
Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	18,229,578	0	0	0	18,229,578	100.00 %
State Special Total	\$0	\$0	\$0	\$0	\$0	0.00 %
03664 Title IV-E from DPHHS	0	0	0	0	0	0.00 %
03291 COVID Relief	0	0	0	0	0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$18,229,578	\$0	\$0	\$0	\$18,229,578	

The Conflict Defender Division is funded solely from general fund.

Program 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	9,019,856	9,019,856	18,039,712	98.96 %	9,019,856	9,019,856	18,039,712	98.96 %
SWPL Adjustments	(102,507)	(90,916)	(193,423)	(1.06)%	(102,507)	(90,916)	(193,423)	(1.06)%
PL Adjustments	217,523	226,070	443,593	2.43 %	217,523	226,070	443,593	2.43 %
New Proposals	(60,304)	0	(60,304)	(0.33)%	(60,304)	0	(60,304)	(0.33)%
Total Budget	\$9,074,568	\$9,155,010	\$18,229,578		\$9,074,568	\$9,155,010	\$18,229,578	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the proposed 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	(102,507)	0	0	(102,507)	0.00	(90,916)	0	0	(90,916)
DP 5 - Caseload Growth	0.00	99,281	0	0	99,281	0.00	102,260	0	0	102,260
DP 10 - Lease Increases	0.00	118,242	0	0	118,242	0.00	123,810	0	0	123,810
Grand Total All Present Law Adjustments	0.00	\$115,016	\$0	\$0	\$115,016	0.00	\$135,154	\$0	\$0	\$135,154

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

DP 1 - Personal Services -

The executive requests adjustments to the present law personal services budget. This request has been broken into the following categories:

- Expected changes
- Personal services management decisions
- Modifications made to the personal services budget in the 2021 biennium

DP 5 - Caseload Growth -

The Conflict Defender Division is requesting \$99,281 in FY 2022 and \$102,260 in FY 2023 to reflect a 1.0% caseload growth. This request will fund contract attorney services, mental health evaluations, and chemical dependency evaluations. Governor Gianforte reduced the caseload increase from 3% to 1%.

DP 10 - Lease Increases -

The executive requests \$118,242 in FY 2022 and \$123,810 in FY 2023 for office lease increases in the conflict defender division due to contractual 1.5% inflationary adjustments.

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 5555 - Reduce GF Budget for State Share Holiday OTO	0.00	(60,304)	0	0	(60,304)	0.00	0	0	0	0
Total	0.00	(\$60,304)	\$0	\$0	(\$60,304)	0.00	\$0	\$0	\$0	\$0

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

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

The Governor has proposed legislation to impose a two-month state share holiday for employer contributions into the state health insurance fund. This change package removes the general fund portion of the savings generate by the contribution holiday. Savings from other funding sources will remain in the agency to be able to address ongoing functions of the agency. This change package is contingent on passage and approval of the proposed legislation.

Program Biennium Comparison

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

Program Biennium Comparison				
Budget Item	Appropriated Budget 20-21	Requested Budget 22-23	Biennium Change	Biennium % Change
Personal Services	3,917,047	3,962,959	45,912	1.17 %
Operating Expenses	2,591,672	3,130,110	538,438	20.78 %
Total Expenditures	\$6,508,719	\$7,093,069	\$584,350	8.98 %
General Fund	6,508,719	7,093,069	584,350	8.98 %
Total Funds	\$6,508,719	\$7,093,069	\$584,350	8.98 %
Total Ongoing	\$6,506,947	\$7,093,069	\$586,122	9.01 %
Total OTO	\$1,772	\$0	(\$1,772)	(100.00)%

Page Reference

Legislative Budget Analysis, D-107.

Budget Changes

Changes between the November 15th preliminary budget and the December 15^h budget submission include:

- Elimination of the proposed 2.0% vacancy savings, increasing personal services and general fund by \$83,582 when compared to the 2021 biennium
- The elimination of vacancy savings increased personal services and general fund by \$41,697 in FY 2022 and \$41,885 in FY 2023

Changes between the December 15th and January 7th budget submissions include:

- A proposed 4.0% vacancy savings reduction taken against personal services. This proposal reduces general fund and personal services by \$167,187 when compared to the 2021 biennium
- The proposed 4.0% vacancy savings reduction in personal services reduces personal services and state special by \$83,406 in FY 2022 and \$83,781 in FY 2023
- The executive is requesting a reduction of \$50,063 in FY 2022 in state share holiday 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 budget request by type of expenditure and source of funding.

Program Actuals and Budget Comparison						
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Request Fiscal 2022	Request Fiscal 2023	
FTE	0.00	23.00	23.00	23.00	23.00	23.00
Personal Services	2,006,058	2,015,090	1,901,957	1,951,930	2,011,029	
Operating Expenses	992,479	1,251,673	1,339,999	1,598,569	1,531,541	
Total Expenditures	\$2,998,537	\$3,266,763	\$3,241,956	\$3,550,499	\$3,542,570	
General Fund	2,998,537	3,266,763	3,241,956	3,550,499	3,542,570	
Total Funds	\$2,998,537	\$3,266,763	\$3,241,956	\$3,550,499	\$3,542,570	
Total Ongoing	\$2,996,765	\$3,264,991	\$3,241,956	\$3,550,499	\$3,542,570	
Total OTO	\$1,772	\$1,772	\$0	\$0	\$0	\$0

Funding

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

Office of State Public Defender, 04-Central Services Division Funding by Source of Authority						
Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	7,093,069	0	0	0	7,093,069	100.00 %
State Special Total	\$0	\$0	\$0	\$0	\$0	0.00 %
03664 Title IV-E from DPHHS	0	0	0	0	0	0.00 %
03291 COVID Relief	0	0	0	0	0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$7,093,069	\$0	\$0	\$0	\$7,093,069	

The Central Services Division is funded solely from general fund.

Program 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	3,241,956	3,241,956	6,483,912	91.41 %	3,241,956	3,241,956	6,483,912	91.41 %
SWPL Adjustments	203,785	144,444	348,229	4.91 %	203,785	144,444	348,229	4.91 %
PL Adjustments	154,821	156,170	310,991	4.38 %	154,821	156,170	310,991	4.38 %
New Proposals	(50,063)	0	(50,063)	(0.71)%	(50,063)	0	(50,063)	(0.71)%
Total Budget	\$3,550,499	\$3,542,570	\$7,093,069		\$3,550,499	\$3,542,570	\$7,093,069	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the proposed 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	100,036	0	0	100,036	0.00	109,072	0	0	109,072
DP 2 - Fixed Costs	0.00	103,749	0	0	103,749	0.00	35,372	0	0	35,372
DP 6 - Equipment Replacement	0.00	20,000	0	0	20,000	0.00	20,000	0	0	20,000
DP 7 - Service Now Reduction	0.00	(50,246)	0	0	(50,246)	0.00	(50,246)	0	0	(50,246)
DP 10 - Lease Increases	0.00	35,067	0	0	35,067	0.00	36,416	0	0	36,416
DP 30 - Case Management System	0.00	150,000	0	0	150,000	0.00	150,000	0	0	150,000
Grand Total All Present Law Adjustments	0.00	\$358,606	\$0	\$0	\$358,606	0.00	\$300,614	\$0	\$0	\$300,614

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

DP 1 - Personal Services -

The executive requests adjustments to the present law personal services budget. This request has been broken into the following categories:

- Expected changes
- Personal services management decisions
- Modifications made to the personal services budget in the 2021 biennium

DP 2 - Fixed Costs -

The executive requests adjustments to provide the funding required in the proposed budget 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 6 - Equipment Replacement -

The executive is requesting \$20,000 in FY 2022 and \$20,000 in FY 2023 to replace the agency's computers nearing the end of their life cycle with laptops to enable a more mobile workforce in response to the pandemic or other potential crisis

situations. This request represents the difference between laptop and desktop computer replacement funding already in the base.

DP 7 - Service Now Reduction -

The executive requests a decrease in funding because of the purchase of ServiceNow licenses and programs for the 2023 biennium. The executive is anticipating operating efficiencies and other savings by using ServiceNow. This request reflects a reduction in the operating budget of \$50,246 in each fiscal year due to projected operating efficiencies by implementing ServiceNow.

DP 10 - Lease Increases -

The executive requests \$35,067 in FY 2022 and \$36,416 in FY 2023 for office lease increases in the Central Services Division due to contractual 1.5% escalators and anticipated increases in leases due to renewal during the next biennium.

DP 30 - Case Management System -

The agency's current case management system is terminating support, requiring the agency to undertake a request for proposal process. The executive is requesting \$150,000 for FY 2022 and \$150,000 for FY 2023 for the anticipated increase in the annual licensing and maintenance cost for a new case management system.

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 5555 - Reduce GF Budget for State Share Holiday OTO	0.00	(50,063)	0	0	(50,063)	0.00	0	0	0	0
Total	0.00	(\$50,063)	\$0	\$0	(\$50,063)	0.00	\$0	\$0	\$0	\$0

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

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

The Governor has proposed legislation to impose a two-month state share holiday for employer contributions into the state health insurance fund. This change package removes the general fund portion of the savings generate by the contribution holiday. Savings from other funding sources will remain in the agency to be able to address ongoing functions of the agency. This change package is contingent on passage and approval of the proposed legislation.