



Budget Briefing: Attorney General

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Briefing Topics

- Funding Sources
- Appropriation Areas
- Major Budget Topics

Department of Attorney General

The attorney general's powers are prescribed by the State Constitution and further delineated by statute and case law.

- The attorney general:
 - Serves as legal counsel for state departments, agencies, boards, commissions, and their officers
 - Defends the state in court
 - Serves as the chief law enforcement officer of the state
 - Brings actions and intervenes in cases on the state's behalf
 - Issues legal opinions that have the force of law until reversed by legislative or judicial action

Key Budget Terms

Fiscal Year: The state's fiscal year (FY) runs from October to September. FY 2023-24 is October 1, 2023 through September 30, 2024.

Appropriation: Authority to expend funds. An appropriation is not a mandate to spend. Constitutionally, state funds cannot be expended without an appropriation by the legislature.

Line Item: Specific appropriation amount that establishes spending authorization for a particular program or function in a budget bill.

Boilerplate: Specific language sections in a budget bill that direct, limit, or restrict line item expenditures, express legislative intent, and/or require reports.

Lapses: Appropriated amounts that are unspent or unobligated at the end of a fiscal year. Appropriations are automatically terminated at the end of a fiscal year unless designated as a multi-year work project under a statutory process. Lapsed funds are available for expenditure in the subsequent fiscal year.

Note: Unless otherwise indicated, historical budget figures in this presentation have not been adjusted for inflation.

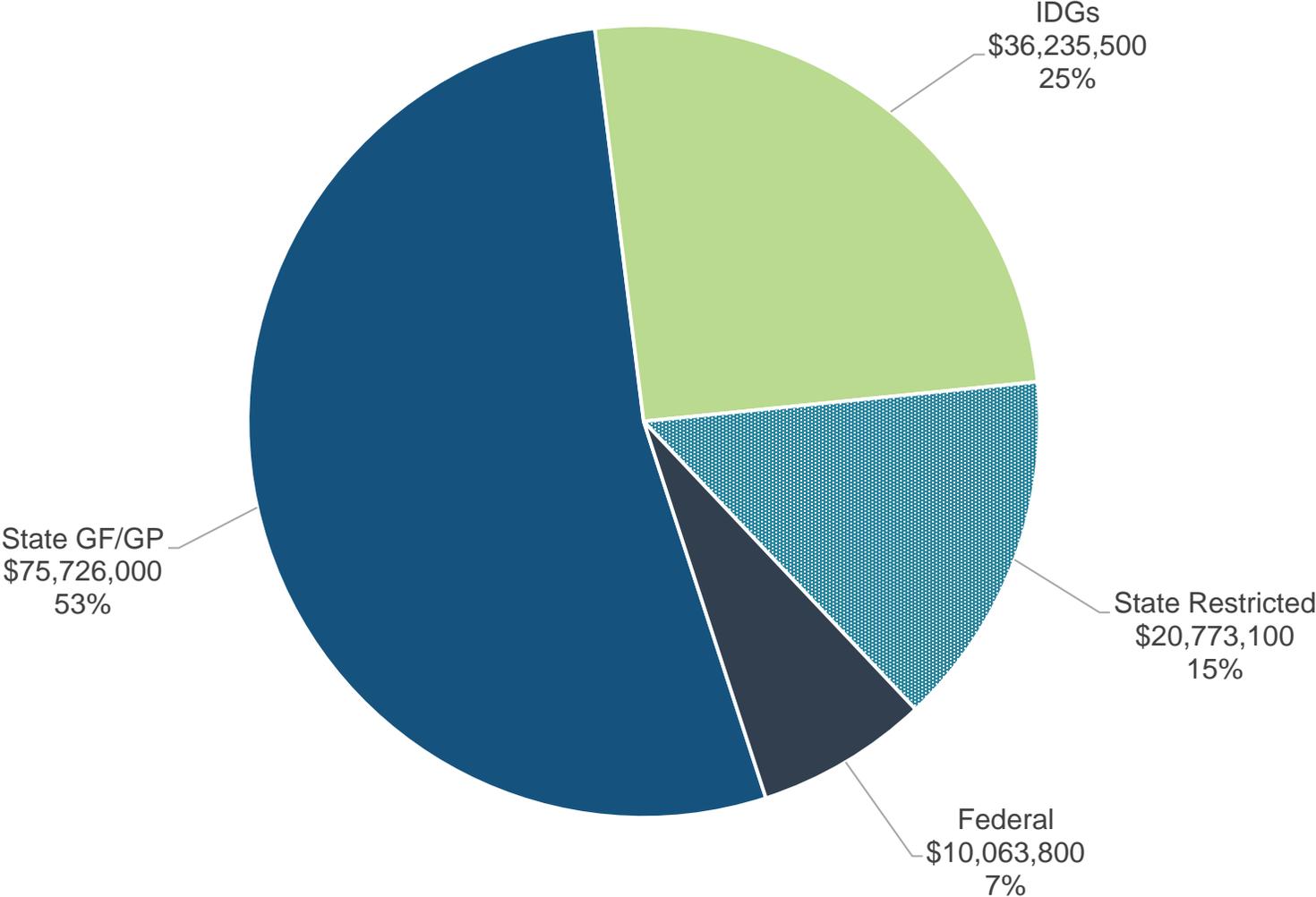
Funding Sources

FY 2023-24 Attorney General Budget

Fund Source	Funding	Description
Gross Appropriations	\$142,798,400	Total spending authority from all revenue sources
Interdepartmental Grants (IDG) Revenue	36,235,500	Funds received by one state department from another state department, usually for services provided
Adjusted Gross Appropriations	\$106,562,900	Gross appropriations excluding IDGs; avoids double counting when adding appropriation amounts across budget areas
Federal Revenue	10,063,800	Federal grant or matching revenue; generally dedicated to specific programs or purposes
Local Revenue	0	Revenue received from local units of government for state services
Private Revenue	0	Revenue from individuals and private entities, including payments for services, grants, and other contributions
State Restricted Revenue	20,773,100	State revenue restricted by the State Constitution, state statute, or outside restriction that is available only for specified purposes; includes most fee revenue
State General Fund/General Purpose (GF/GP) Revenue	\$75,726,000	Unrestricted revenue from taxes and other sources available to fund basic state programs and other purposes determined by the legislature

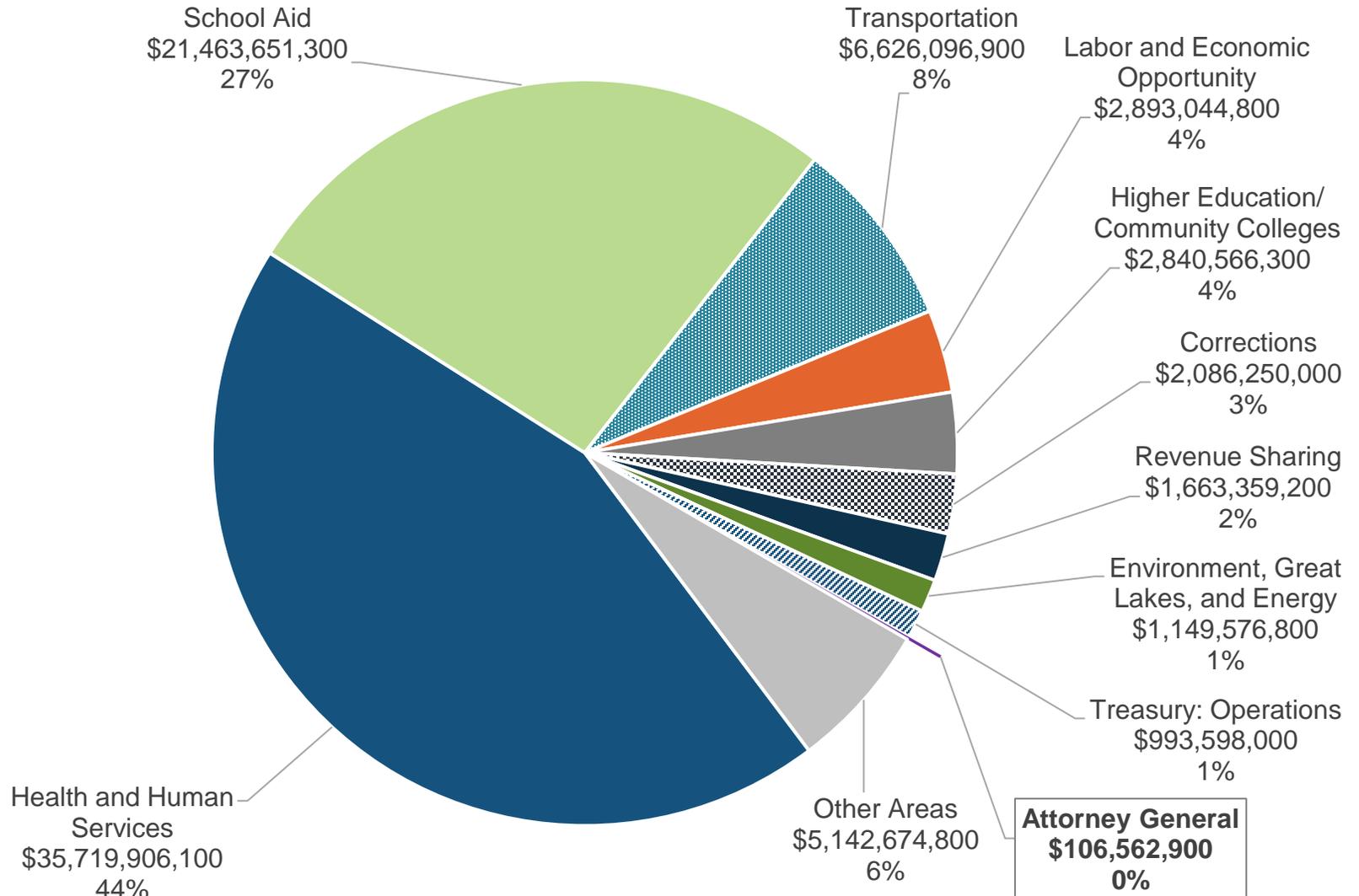
FY 2023-24 Fund Sources

Of the **\$142.8 million** Attorney General budget, **53%** is funded by general fund/general purpose revenue. Nearly half of the budget comes from charges for legal services to departments through IDG funding and state restricted funding.



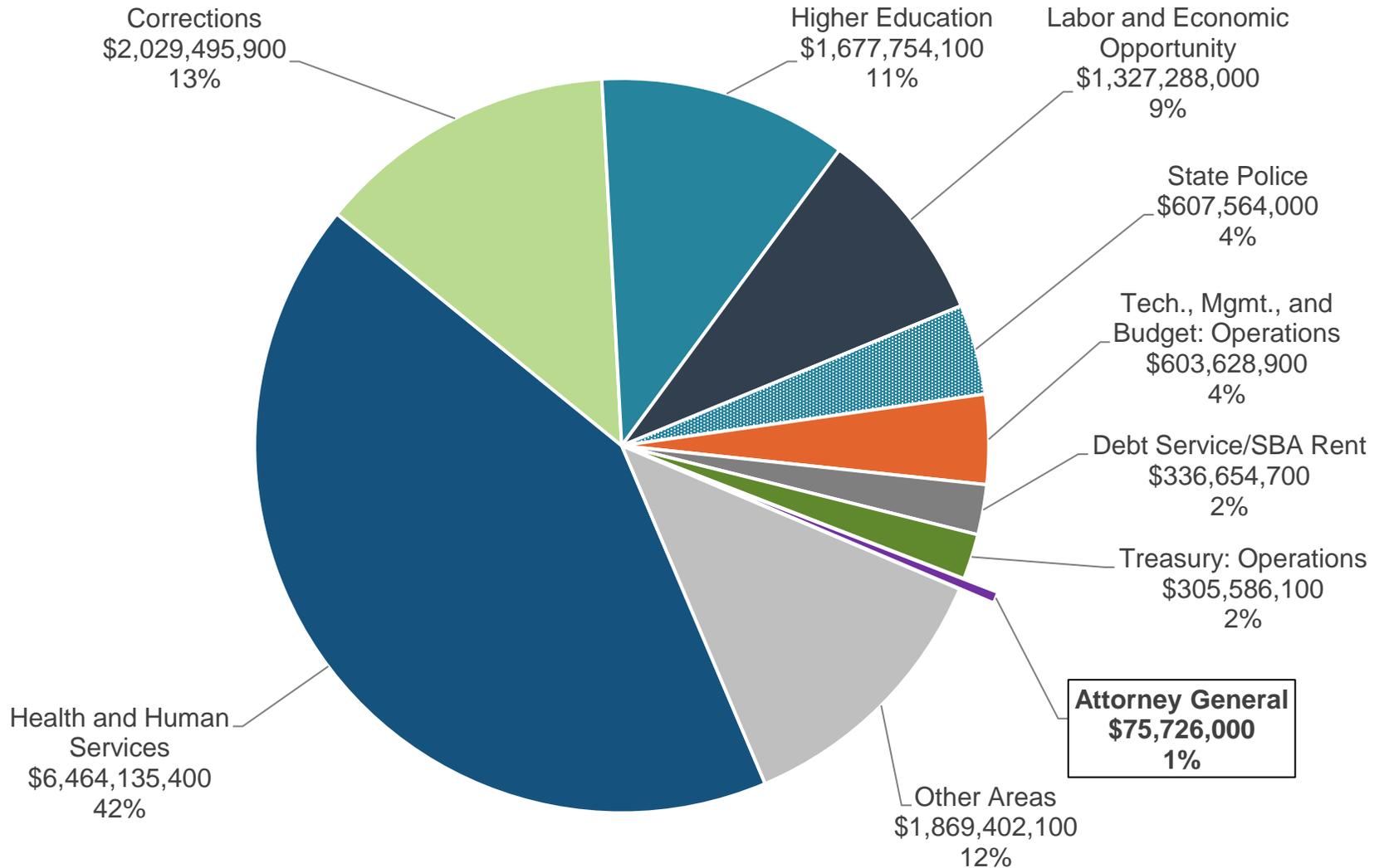
Attorney General Share of Total State Budget

The Attorney General budget represents less than 1% of the **\$80.7 billion** state budget (adjusted gross) for FY 2023-24.



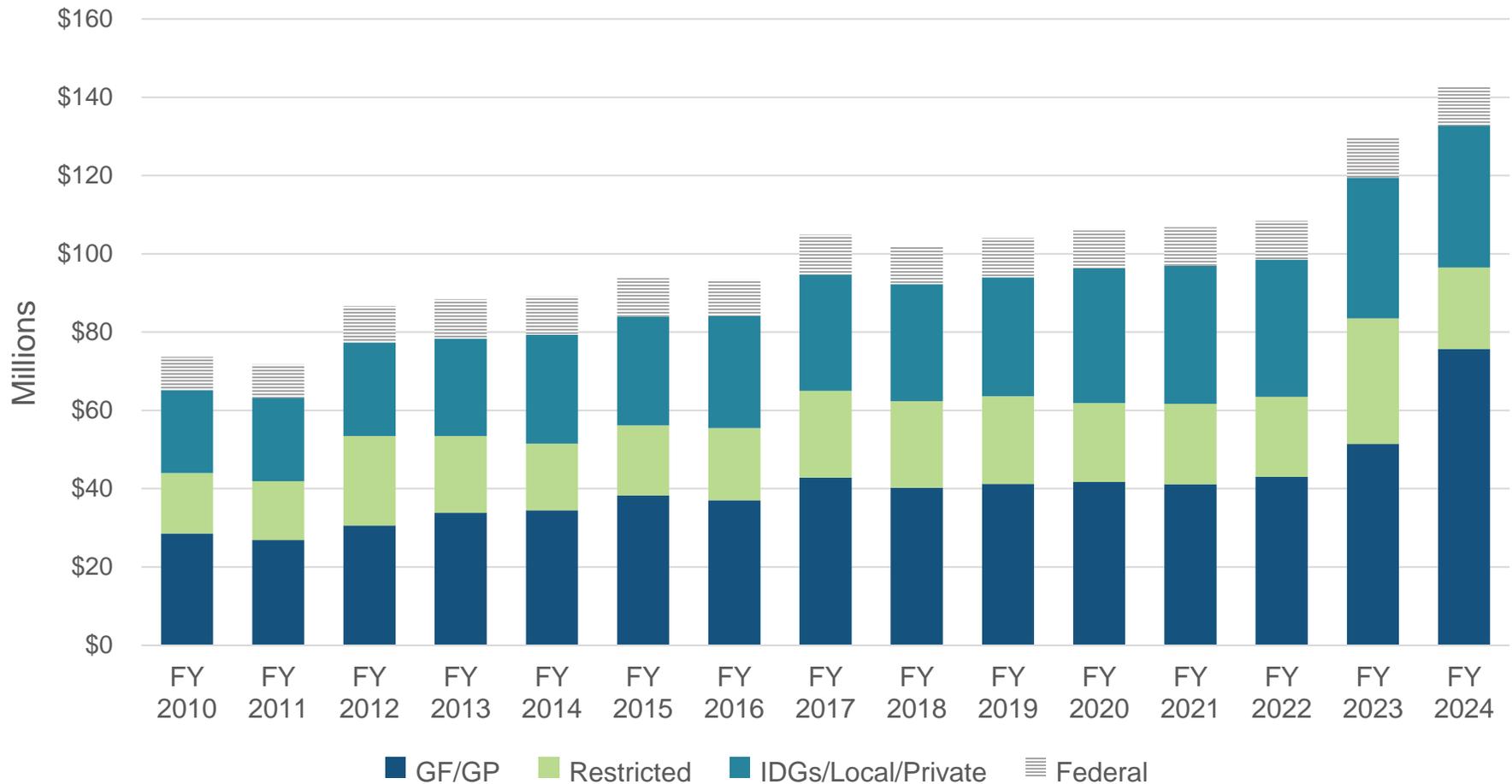
Attorney General Share of Total GF/GP Budget

The Attorney General budget represents less than **1%** of the state's **\$15.3 billion** GF/GP budget for FY 2023-24.



Attorney General - Funding History

After gradual funding growth for many year, funding for the attorney general has grown by **32%** since FY 2021-22, driven mainly by the appropriation of opioid settlement revenues, increased one-time appropriations, expanded ongoing enforcement responsibilities and programs.



Appropriation Areas

Attorney General Appropriation Areas

Department Operations: Personnel and operational costs associated with executive administration and the provision of legal advice and representation to state departments. Operations include the department's ongoing special investigations, various initiatives, and enforcement activities. The former Operations line item was divided into 3 new line items in FY 2022-23: Civil Bureaus, Criminal Bureaus, and Administrative Support.

Child Support Division: Personnel and operational costs associated with child support enforcement activities.

Prosecuting Attorneys Coordinating Council (PACC): Autonomous agency responsible for ensuring a uniform system of conduct, duty, and procedure among prosecutors.

Public Safety Initiative: Prosecutorial assistance for selected high-crime areas.

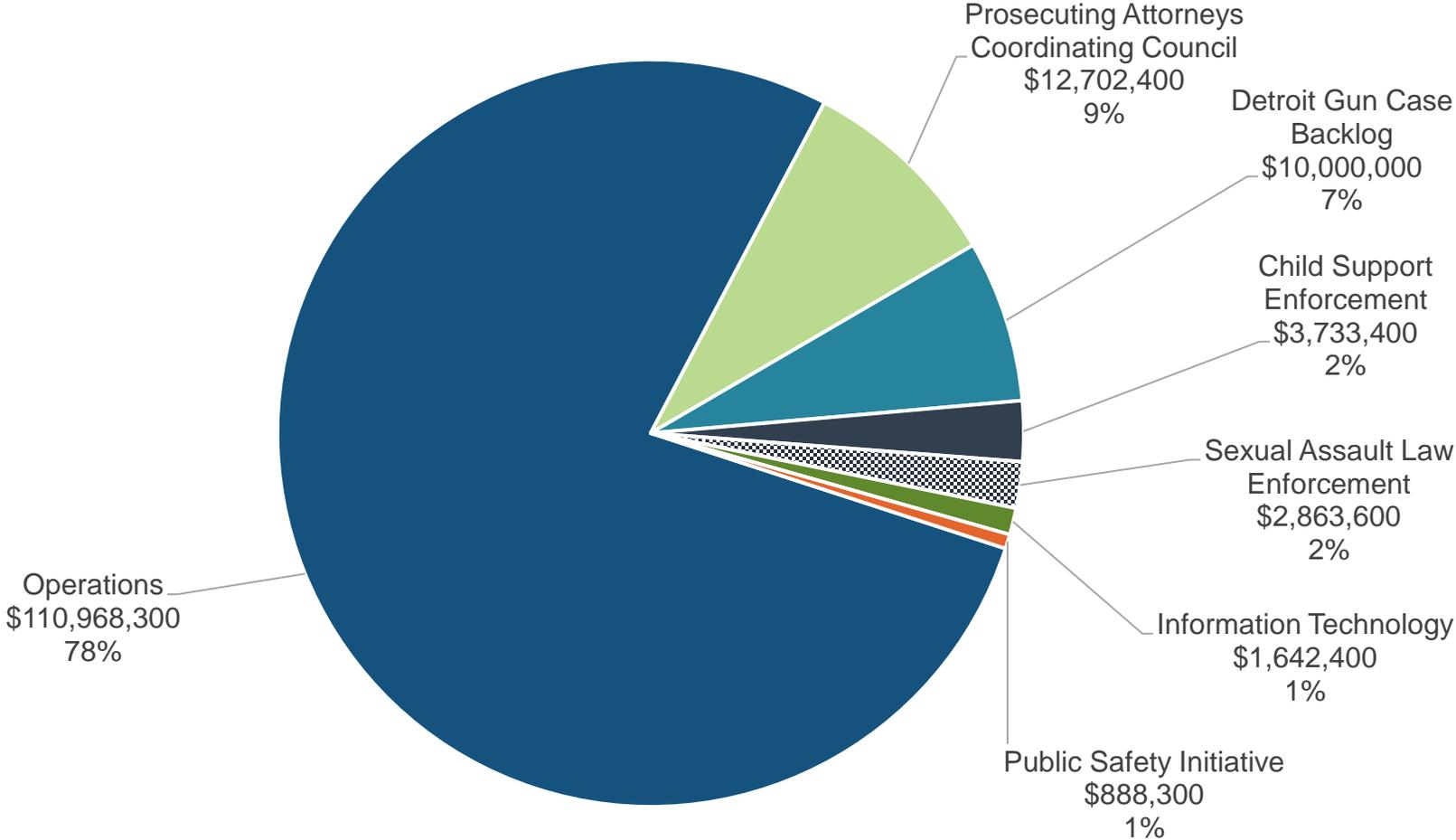
Sexual Assault Law Enforcement: Funding to reduce the backlog of sexual assault kits in communities statewide, except Wayne County, and to assist with investigations and prosecutions that may result.

Information Technology: IT-related services and projects that support department activities; administered by the Department of Technology, Management, and Budget.

One-time Appropriations: Includes one-time appropriations for various purposes, including grants to reduce the Detroit gun case backlog, local prosecutors NextGen system data integration, and sexual assault cases and victim advocacy.

FY 2023-24 Gross Appropriations

Of the \$142.8 million Attorney General budget, 77% is appropriated to one line item, Operations, a large portion of which is funded through interdepartmental grants (IDGs) and restricted fund sources from departments and programs receiving services. Some one-time appropriations are included in other categories.

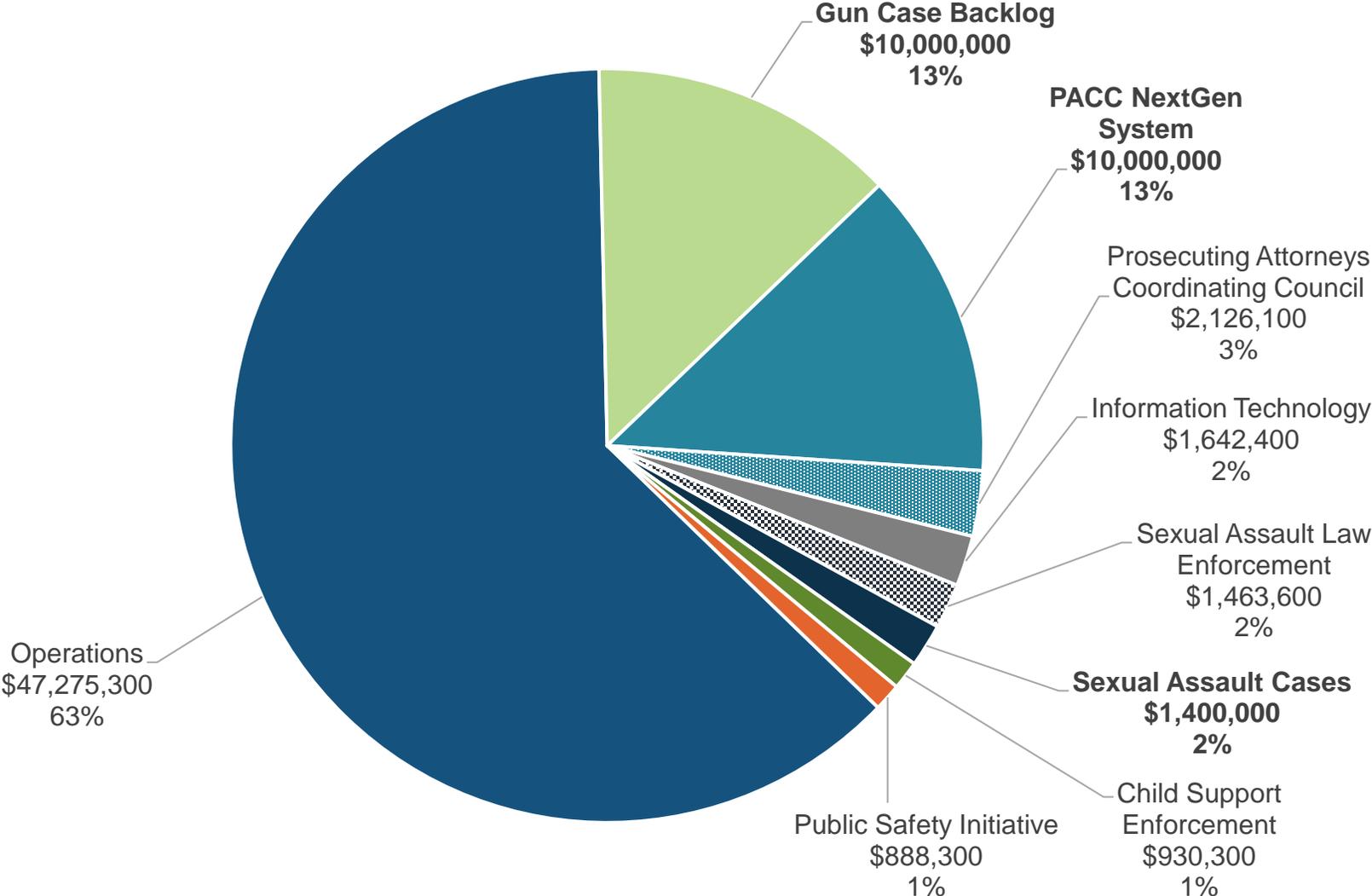


FY 2023-24 Operations Line Item

- The Operations line item makes up 91% of the department's ongoing funding.
- Includes an additional **\$11.4 million** and **62.0 FTE positions** in FY 2023-24 for:
 - **Address Confidentiality Program Staffing** – 2.0 FTEs, \$486,400 for staffing to assist with concealing addresses of victims of threats by providing a substitute address and mail forwarding service
 - **LARA and EGLE Legal Services** – 2.0 FTEs, \$403,400 for additional legal services to process increasing caseloads
 - **Conviction Integrity Unit** – 6.0 FTEs, \$1.0 million for investigating claims of prisoners' innocence to determine whether new evidence is sufficient for a court to declare a conviction wrongful and to set it aside
 - **Job Court** – 5.0 FTEs, \$5.0 million for the prosecutorial diversion program that offers the option of dismissal of charges for selected pre-trial defendants charged with low-level, non-assaultive crimes who secure gainful employment and complete the one-year program
 - **Consumer Protection Increase** – 27.0 FTEs, \$4.5 million for additional attorneys in multiple divisions to handle consumer protection cases
 - **FTE Increase** – 20.0 FTEs, \$0 for increased flexibility in hiring attorneys and support staff

FY 2023-24 GF/GP Appropriations

GF/GP funds total **\$75.7 million** of which one-time GF/GP appropriations total **\$21.4 million**, as shown in bold.



FY 2023-24 One-time Appropriations

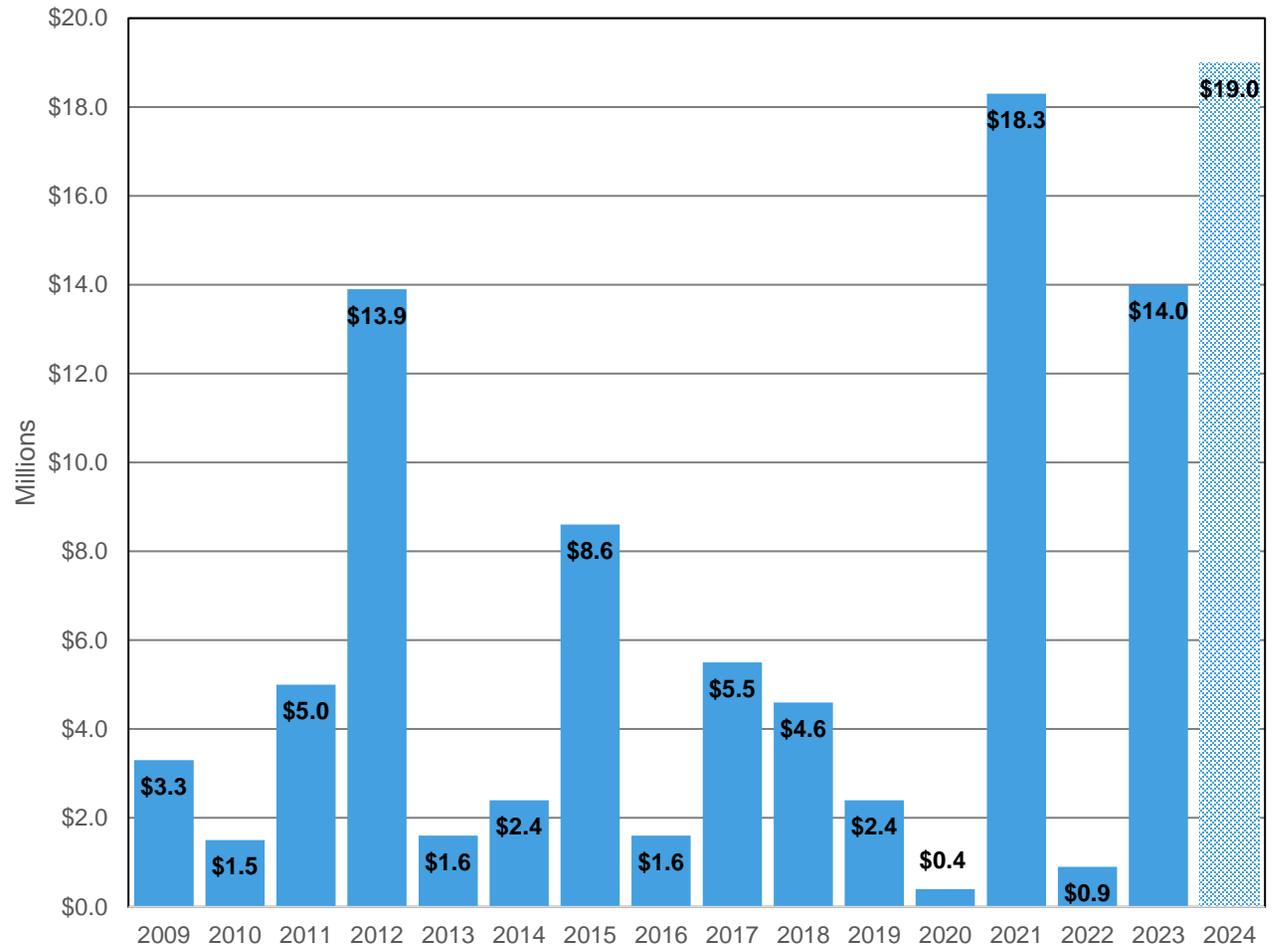
- The FY 2023-24 budget includes **\$21.4 million** in one-time GF/GP funding for the following:
 - **Gun Case Backlog (\$10.0 million)** – Grants to Detroit (\$3.0 million) and Wayne County (\$7.0 million) to assist local prosecutors with reducing the backlog of criminal gun cases.
 - **PACC NextGen System Data Integration (\$10.0 million)** – Assists local prosecutor offices with integrating case management data into the statewide NextGen case management computer system.
 - **Sexual Assault Cases and Victim Advocacy (\$1.4 million)** – Supports attorneys, investigators, and victim advocates dedicated to alleviating high sexual assault caseloads

Major Budget Topics

Lawsuit Settlement Proceeds Fund

- Created in 1996 to require legislative appropriation for expenditure of lawsuit proceeds.
- Unless appropriated, revenue in the fund lapses to the General Fund at the end of the fiscal year.
- **\$2.7 million** has been appropriated annually from the fund to support the Flint water investigation.
- At least **\$19.0 million** in settlement revenue is expected to be deposited in FY 2023-24.

Lawsuit Settlement Proceeds Fund
Annual Deposit Revenue



Department Initiatives and Programs

In addition to the ongoing work of legal divisions supporting state agencies, the department also initiates various limited-time programs and initiatives to address various state issues. Expenditures for units and programs created to address these issues come from the Operations line item and are noted below

Job Court (\$5.0 million) – Prosecutorial diversion program that offers the option of dismissal of charges for selected pre-trial defendants charged with low-level, non-assaultive crimes who secure gainful employment and complete the one-year program. There are currently 3 participating courts in Wayne, Genesee, and Marquette Counties.

Elder Abuse Task Force (\$329,500) – Effort between AG, Michigan Supreme Court, legislature, and other organizations to prevent elder abuse and to support its victims. Created to implement systemic changes recommended by previous task forces and to assess current problems in the system and address them.

Conviction Integrity Unit (\$116,700) – Reviews eligible claims of innocence submitted by claimants arising from state-law convictions to determine whether the claimants are innocent of crime(s) for which they were convicted and sentenced. Conducts investigations and works with local officials and law enforcement.

Opioid Litigation (\$62,000) – Supplements local authorities and prosecutors in prosecuting drug enforcement cases.

Department Initiatives and Programs

Expungement Assistance – Assists individuals in determining if they are eligible to have prior convictions expunged following state criminal justice reform legislation.

PFAS Contamination (\$33,900) – Provides legal support to the Department of Environment, Great Lakes, and Energy for investigation and enforcement regarding environmental contaminants, including perfluoroalkyl and polyfluoroalkyl substances (PFAS).

Human Trafficking (\$9,500) – Works with law enforcement task forces to identify and prosecute human traffickers. Also conducts trainings for law enforcement and prosecutors and works to raise awareness of human trafficking in Michigan.

Robocall Enforcement (\$9,400) – Partners with federal agencies, attorneys general, and other stakeholders to raise public awareness and education and track ongoing scams.

Payroll Fraud Enforcement Unit (\$25,500) – Investigates employers committing payroll fraud by failing to pay workers' full wages and benefits.

Prosecuting Attorneys Coordinating Council (PACC)

- Autonomous agency within the attorney general's office responsible for ensuring a uniform system of conduct, duty, and procedure among prosecutors
- Publishes legal documents, manuals, and other materials on criminal prosecution and practices
- Provides prosecutors with updates on legislation, court procedure changes, research assistance, and continuing professional education
- Administers grant-funded services
- Coordinates state prosecution activities and office automation
- PACC is appropriated **\$2.7 million** in ongoing funding FY 2023-24 as well as **\$10.0 million** in one-time funding for upgrades to the NextGen case management computer system used by local prosecutors.

For more information about the Attorney General budget:

HFA Resources

<http://www.house.mi.gov/hfa/GeneralGovernment.asp>

Contact Information

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