



Budget Briefing: Attorney General

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Briefing Topics

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Department of Attorney General

The Attorney General's powers are prescribed by the 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 2016-17 is October 1, 2016 through September 30, 2017.

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 in a budget bill which establishes spending authorization for a particular program or function.

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

Lapse: 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.

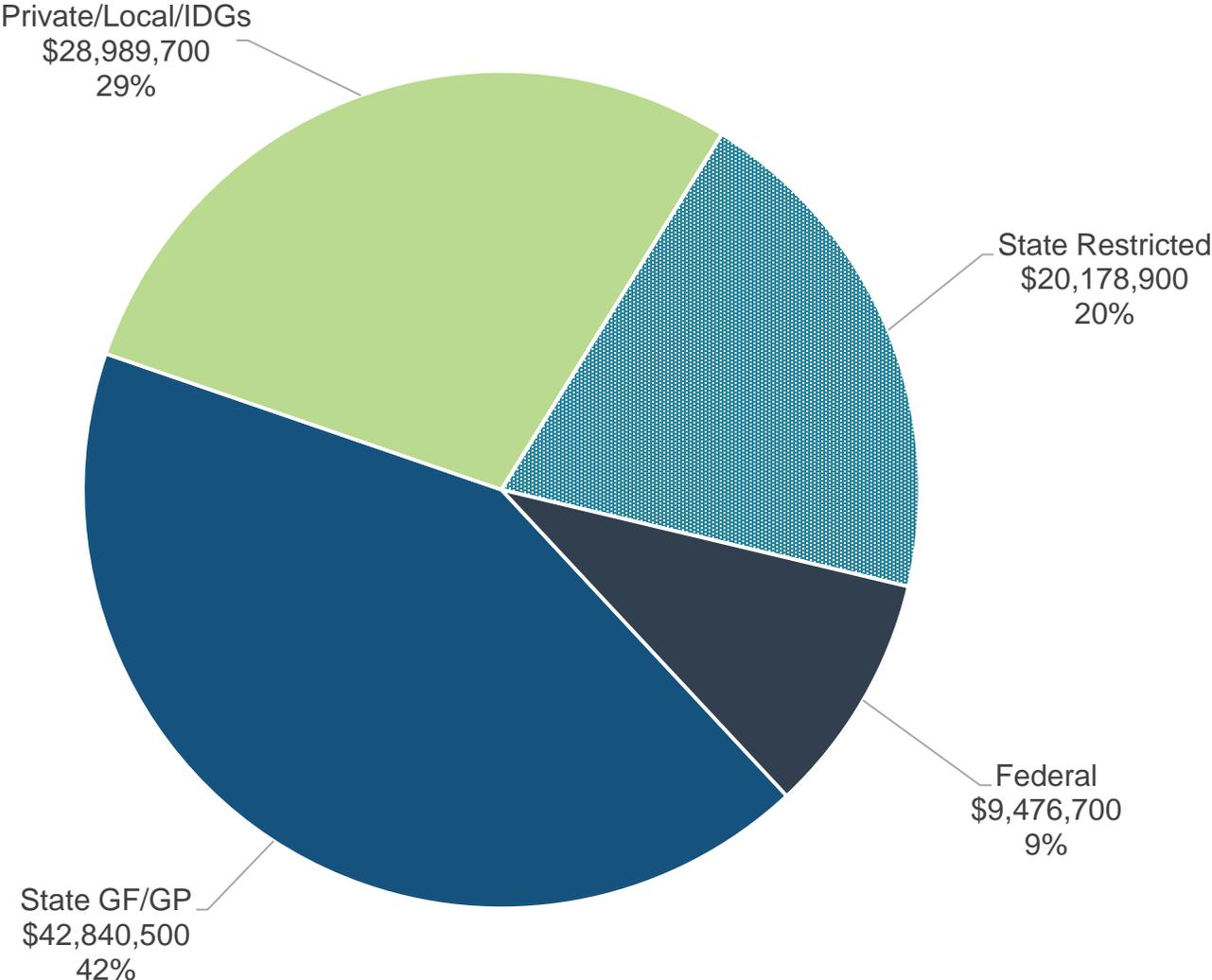
Funding Sources

FY 2016-17 Attorney General Budget

Fund Source	Funding	Description
Gross Appropriations	\$101,485,800	Total spending authority from all revenue sources
Interdepartmental Grants (IDG) Revenue	28,989,700	Funds received by one state department from another state department, usually for services provided
Adjusted Gross Appropriations	\$72,496,100	Gross appropriations excluding IDGs; avoids double counting when adding appropriation amounts across budget areas
Federal Revenue	9,476,700	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	20,178,900	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	\$42,840,500	Unrestricted revenue from taxes and other sources available to fund basic state programs and other purposes determined by the Legislature

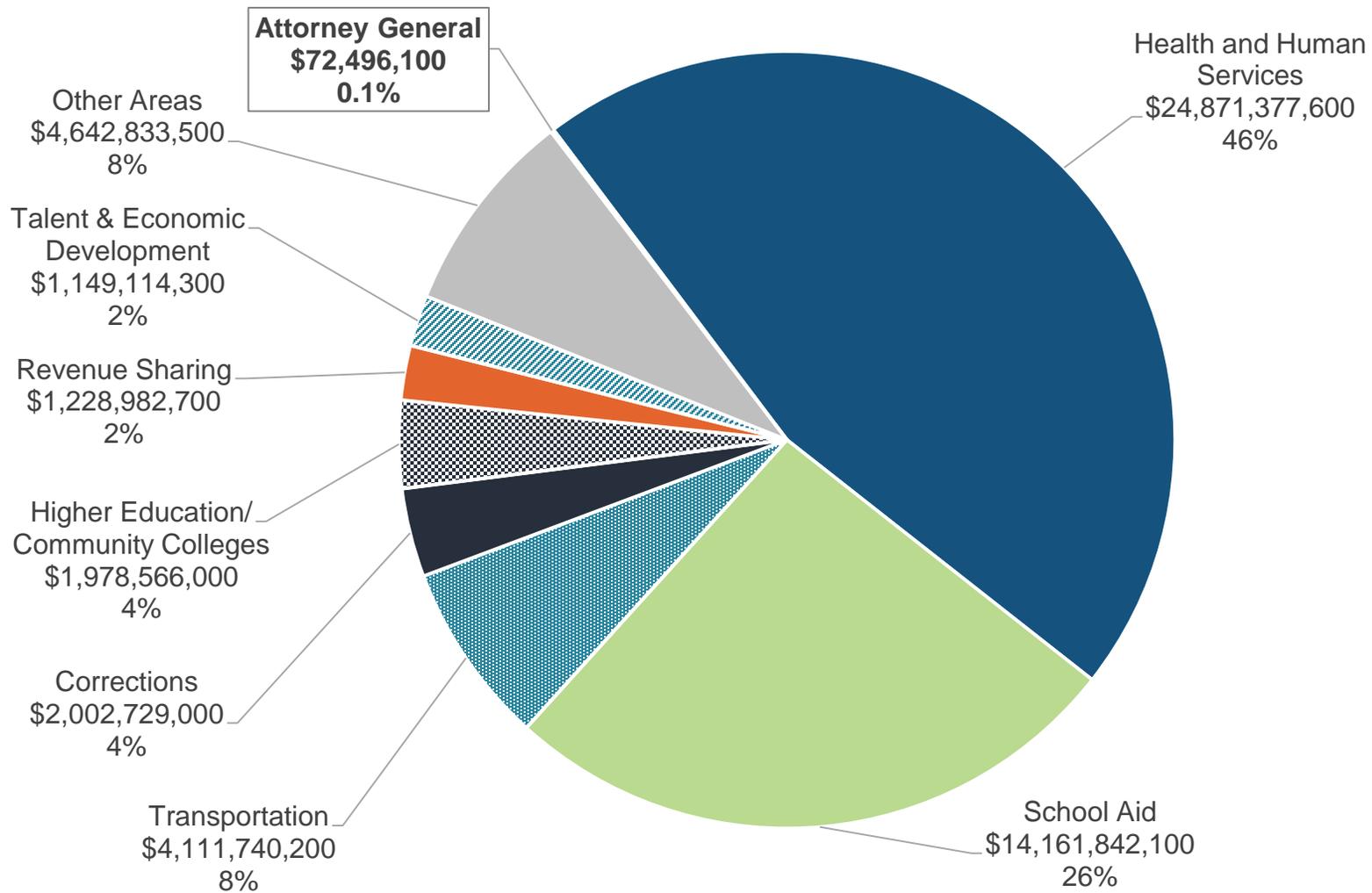
FY 2016-17 Fund Sources

42% of the \$101.5 million Attorney General budget is funded by general fund/general purpose revenue.



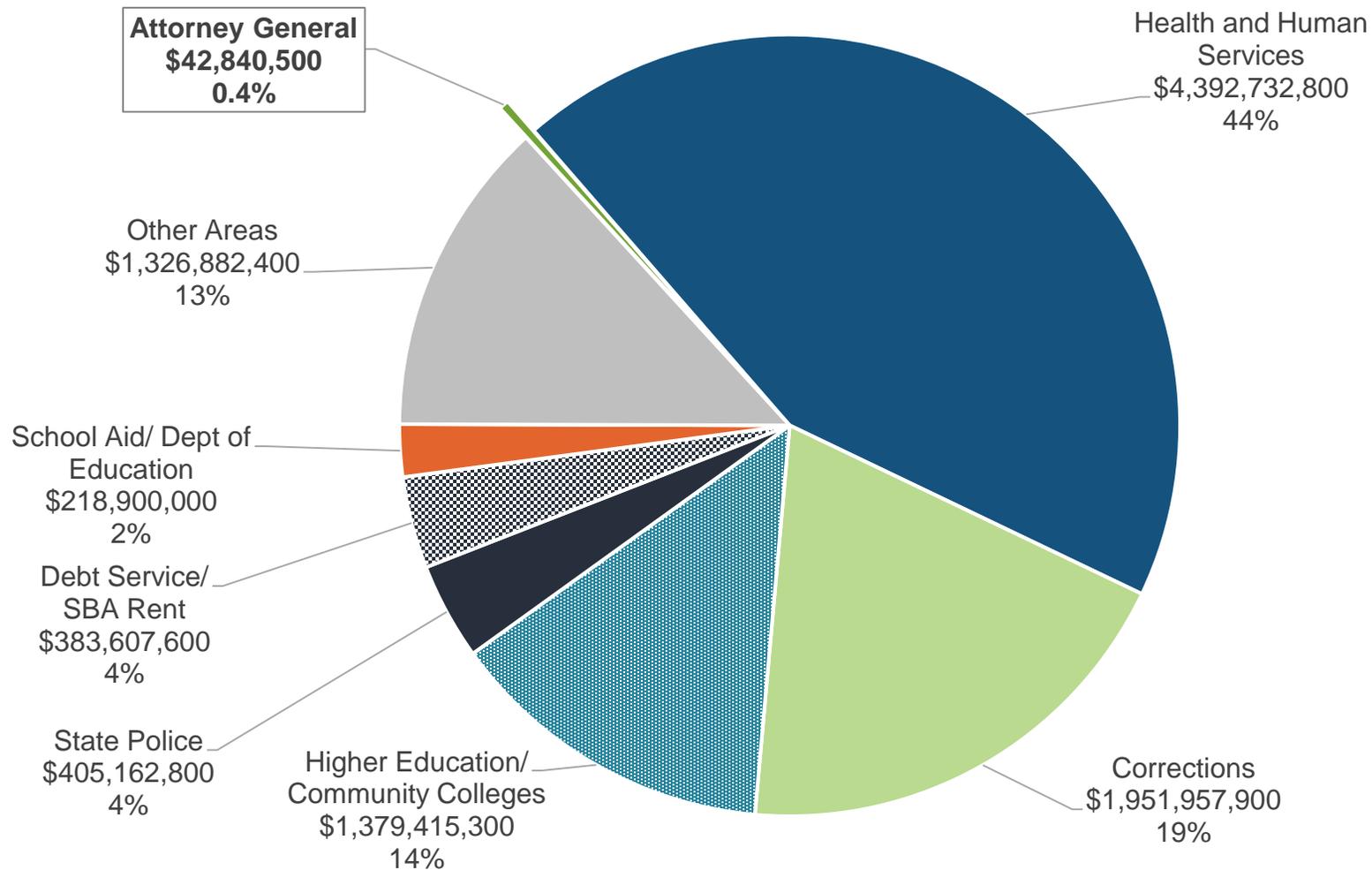
Attorney General Share of Total State Budget

The Attorney General budget represents 0.1% of the **\$54.2 billion** state budget (adjusted gross) for FY 2016-17.



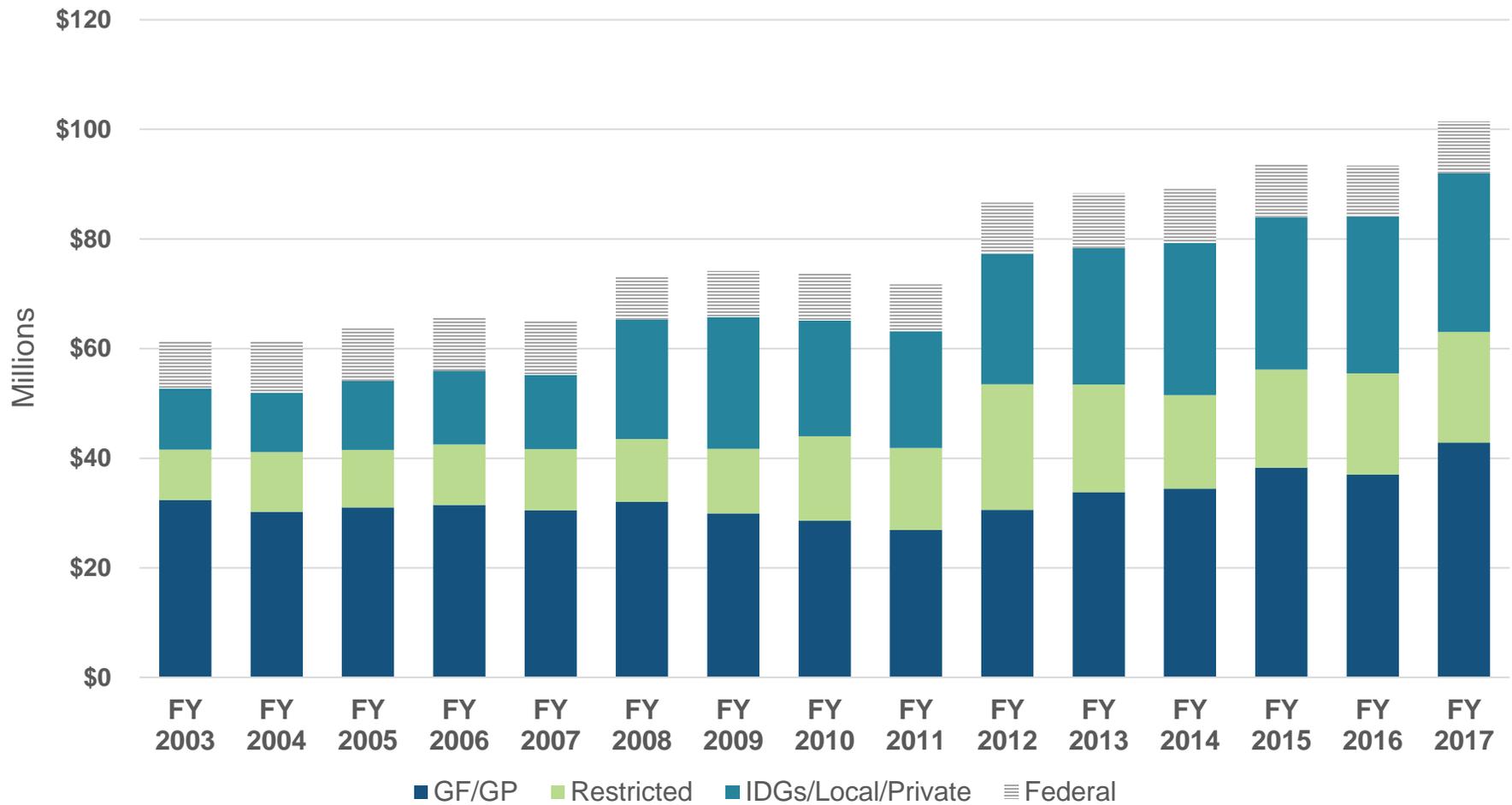
Attorney General Share of Total GF/GP Budget

The Attorney General budget also represents 0.4% of the state's **\$10.1 billion** GF/GP budget for FY 2016-17.



Attorney General - Funding History

Funding for the Attorney General has grown by 65% since FY 2002-03, driven mainly by the pre-funding of retiree health care in FY 2012 and one-time appropriations in recent fiscal years.



Appropriation Areas

Attorney General Appropriation Areas

Department Operations: Personnel and operational costs associated with executive administration and providing legal advice and representation for state departments.

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.

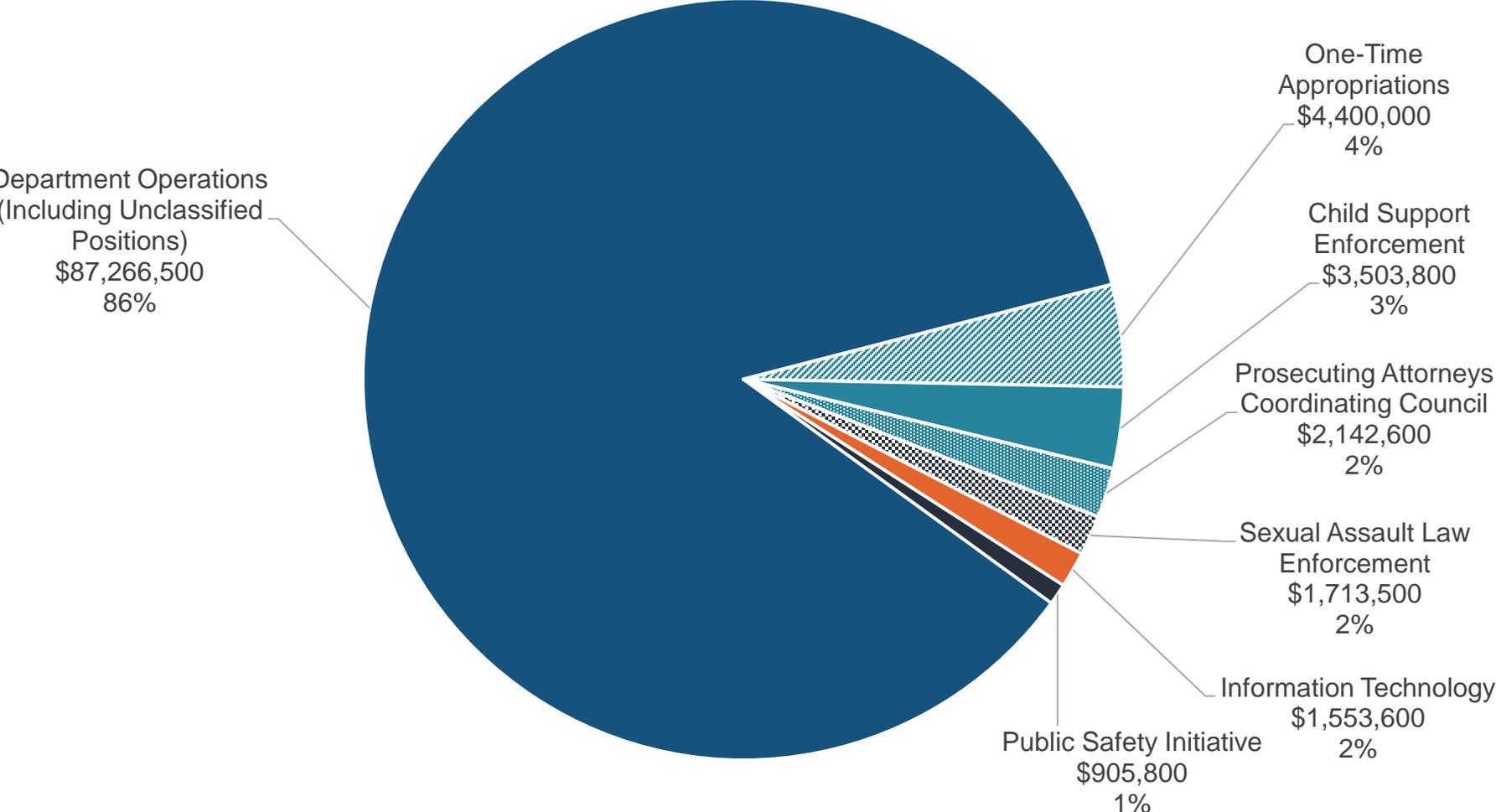
Sexual Assault Law Enforcement: Funding to reduce the backlog of sexual assault kits in communities statewide, except Wayne County, and to assist with investigations and prosecutions that may result.

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

One-Time Appropriations: Prescription drug abuse enforcement, state defense costs related to the Flint water crisis, and PACC juvenile life without parole case review.

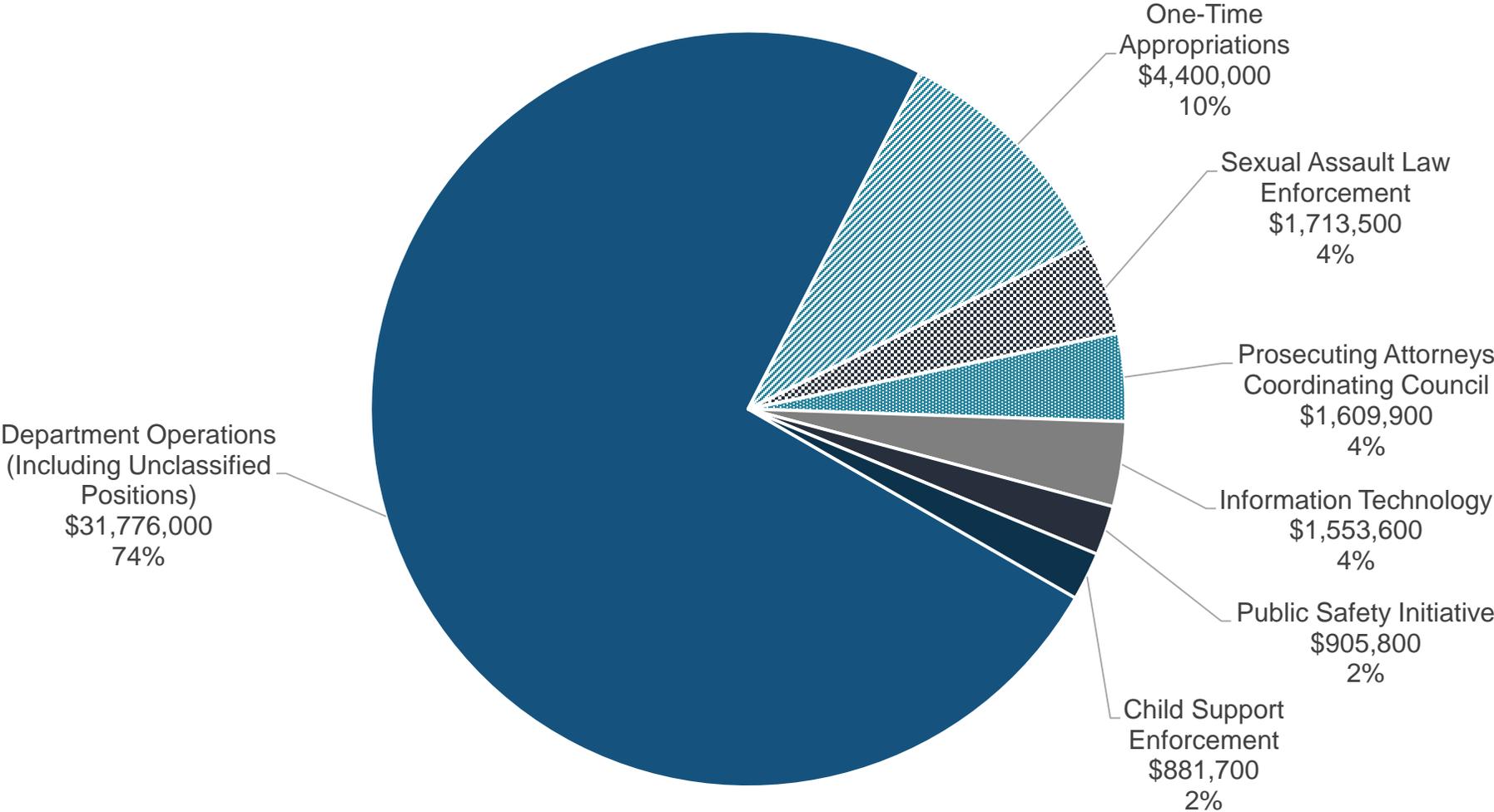
FY 2016-17 Gross Appropriations

About 86% of the \$101.5 million Attorney General budget supports department operations, a large portion of which are funded through interdepartmental grants (IDGs) and restricted fund sources from the departments and programs receiving services.



FY 2016-17 GF/GP Appropriations

Nearly three-quarters of Attorney General GF/GP funds (totaling **\$42.8 million**) go to department operations. One-time appropriations make up the second largest portion of GF/GP funds this fiscal year.



Major Budget Topics

Sexual Assault Kits Testing & Prosecutions

The Attorney General's office, along with the Michigan State Police, has been one of the agencies to address the issue of untested sexual assault kits.

- **August 2009:** Approximately 11,300 sexual assault kits are discovered upon the closure of the Detroit Crime Laboratory.
- **FY 2012-13:** \$4.0 million appropriated from the Lawsuit Settlement Proceeds Fund to the State Forensic Laboratory Fund to test 8,000 sexual assault kits.
- **FY 2014-15:** \$3.0 million in one-time funding for prosecutions resulting from testing of sexual assault kits discovered in the Detroit Crime Laboratory, working with the Wayne County Prosecutor's Office.
- **FY 2015-16:** \$1.7 million for testing of kits statewide, except Wayne County, and to assist with investigations and prosecutions that may result.
- **FY 2016-17:** \$1.7 million in continued funding for testing, investigations and prosecutions in cases statewide.

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 and court procedure changes.
- Provides research assistance.
- Administers grant-funded services.
- Coordinates state prosecution activities and office automation.
- Provides continuing professional education.
- FY 2016-17: Received \$700,000 GF/GP for costs associated with the retroactive juvenile life without parole cases.

New Initiatives/Programs for FY 2016-17

- **State Defense Costs:** \$3.0 million GF/GP of one-time funding for increased litigation costs in the defense of state agencies and actors associated with the Flint water crisis.
- **Prescription Drug Abuse Unit:** Adds \$700,000 GF/GP in one-time funding and 4.5 FTEs to strengthen a statewide drug enforcement strategy.
- **Home Protection Unit:** Adds \$600,000 GF/GP ongoing and 4.0 FTEs to assist homeowners defrauded from foreclosure-related crimes.
- **Human Trafficking Commission:** Adds \$390,000 restricted funding for prosecutions and outreach regarding human trafficking in the state.

Flint Water Crisis Related Funds

- **Lawsuit Settlement Proceeds Fund:** Unobligated general funds that become restricted funding when captured by the Fund. Boilerplate imposes a \$2.6 million cap and specifies funds shall be used for all associated expenses related to Flint.
 - FY 2015-16: \$1.3 million appropriated
 - FY 2016-17: \$2.6 million appropriated
- **Litigation Expense Reimbursement:** Similarly allows the capture of up to \$1 million of unobligated general funds. These funds, however, are also capped at a \$1 million carry forward. Authorized to be used for legal fees of the Governor, the Attorney General, or their respective office and department.
- **State Defense Costs:** \$3.0 million GF/GP of one-time funding for defense of state agencies, including the Department of Health and Human Services (DHHS) and the Department of Environmental Quality (DEQ).
- **Legal Services Fund (DTMB):** Located in and operated by the Department of Technology, Management, and Budget, the fund provides support for major litigation involving the Governor and Attorney General, and to secure outside legal advice on major statewide issues not unique to a single agency.
 - FY 2015-16: \$12.0 million appropriated
 - FY 2016-17: \$5.0 million appropriated

For more information about the Attorney General budget:

HFA Resources

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

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