



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 2022-23 is October 1, 2022 through September 30, 2023.

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.

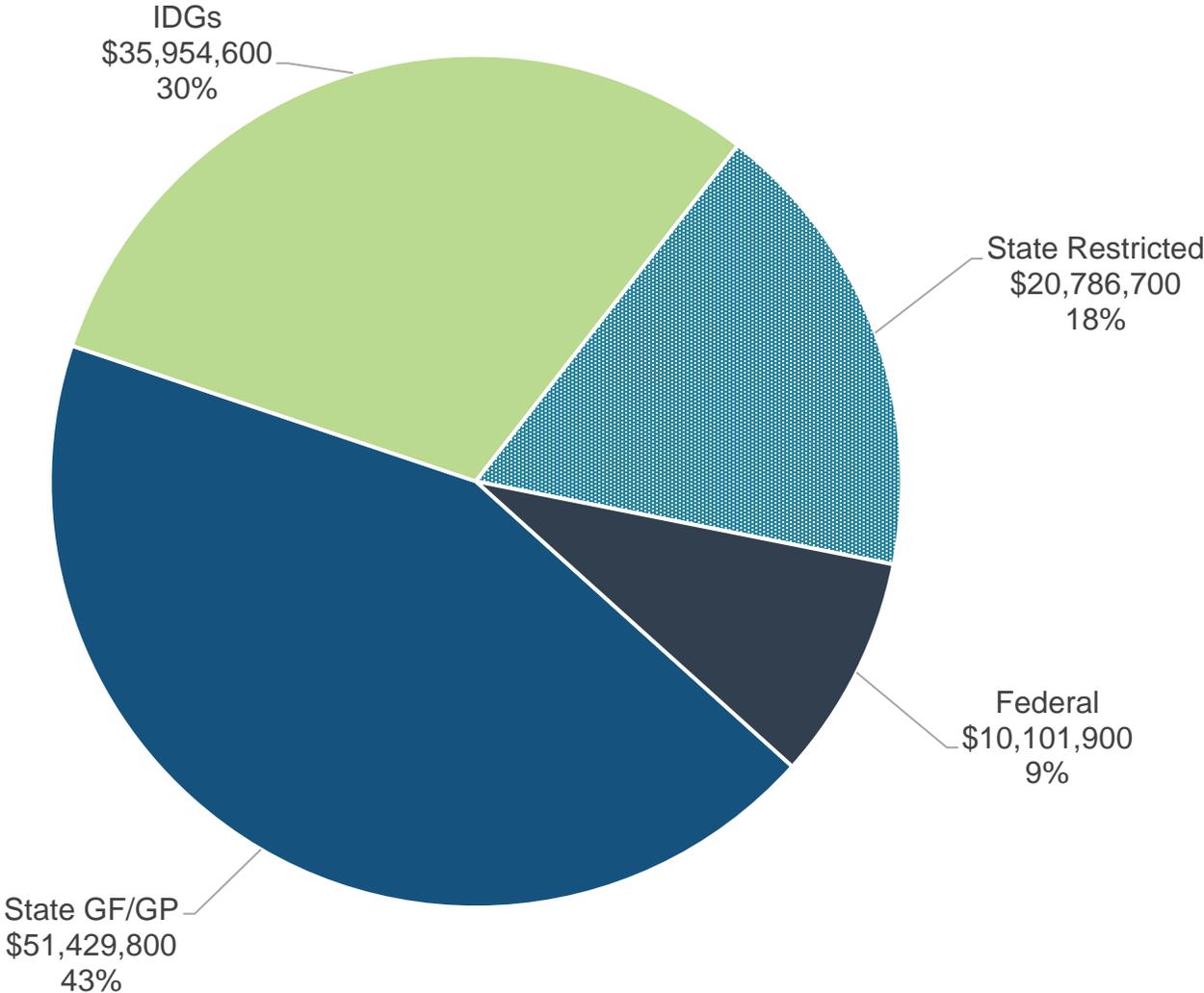
Funding Sources

FY 2022-23 Attorney General Budget

Fund Source	Funding	Description
Gross Appropriations	\$118,273,000	Total spending authority from all revenue sources
Interdepartmental Grants (IDG) Revenue	35,954,600	Funds received by one state department from another state department, usually for services provided
Adjusted Gross Appropriations	\$82,318,400	Gross appropriations excluding IDGs; avoids double counting when adding appropriation amounts across budget areas
Federal Revenue	10,101,900	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	20,786,700	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	\$51,429,800	Unrestricted revenue from taxes and other sources available to fund basic state programs and other purposes determined by the legislature

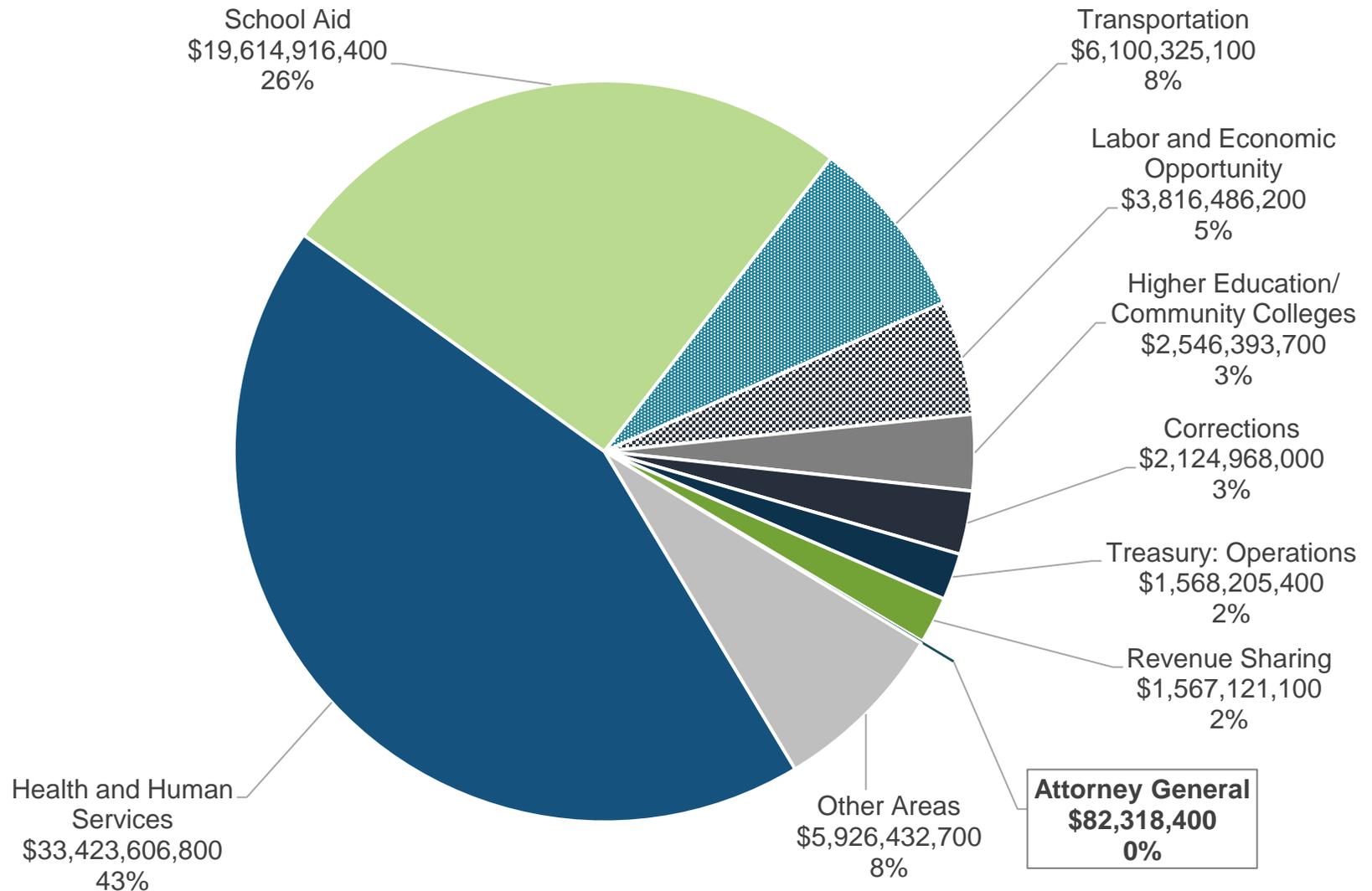
FY 2022-23 Fund Sources

Of the **\$118.3 million** Attorney General budget, **43%** 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.



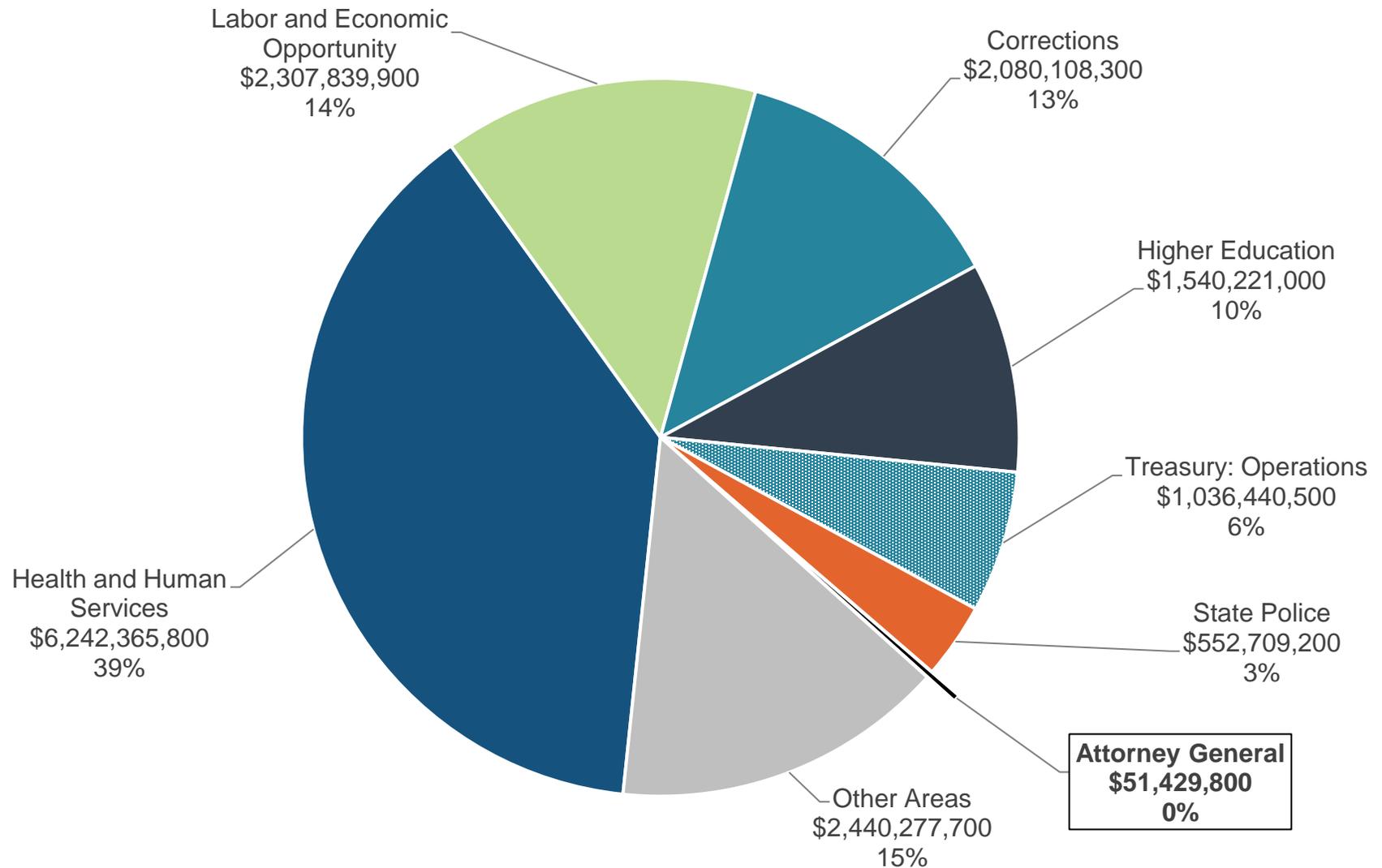
Attorney General Share of Total State Budget

The Attorney General budget represents less than 1% of the **\$76.8 billion** state budget (adjusted gross) for FY 2022-23.



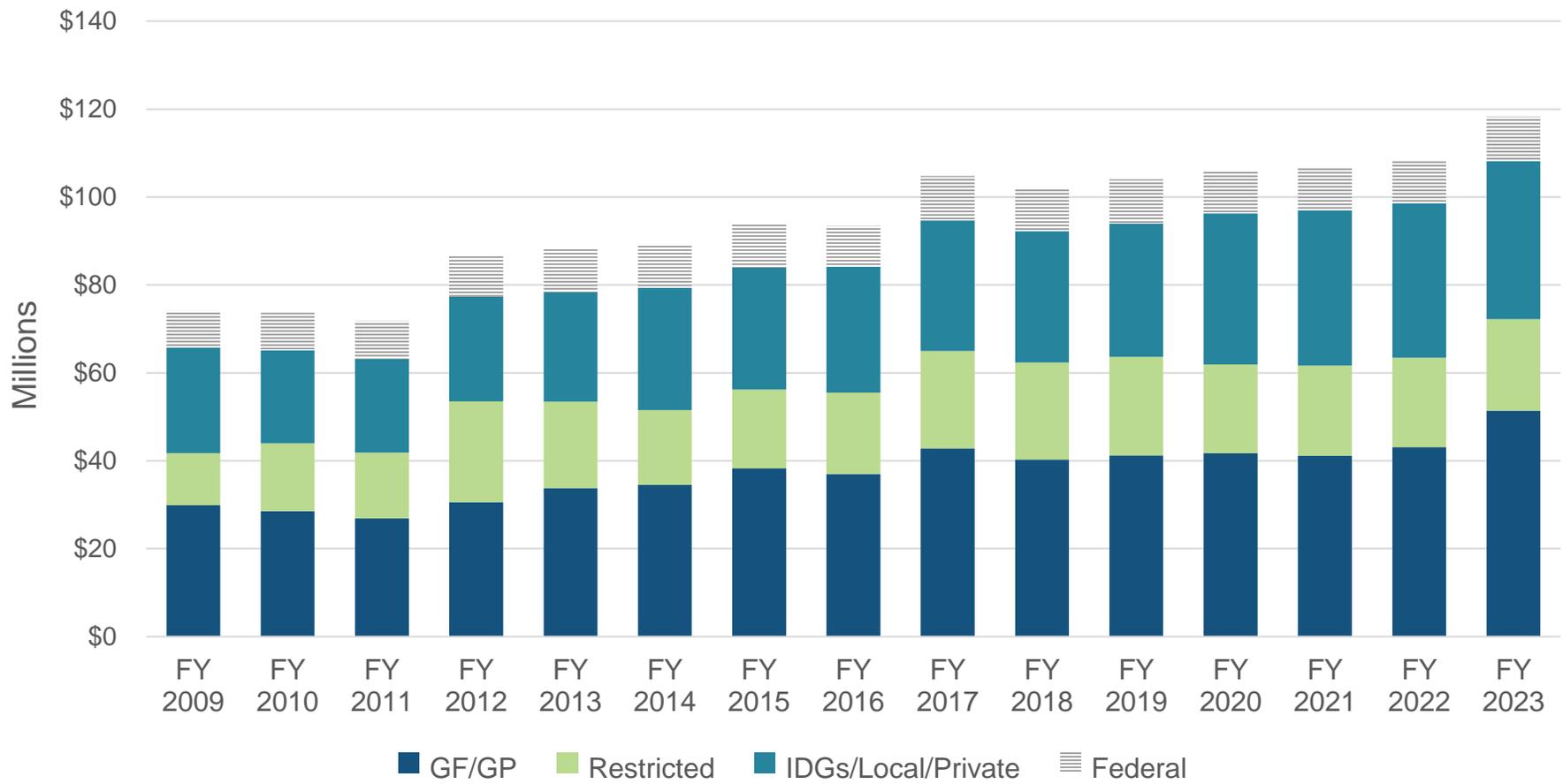
Attorney General Share of Total GF/GP Budget

The Attorney General budget represents less than 1% of the state's \$16.3 billion GF/GP budget for FY 2022-23.



Attorney General - Funding History

Funding for the attorney general has grown by **59%** since FY 2008-09, driven mainly by the pre-funding of retiree health care in FY 2012, increased one-time appropriations, and expanded enforcement responsibilities and caseloads. There is a **19%** increase in GF/GP in FY 2022-23 from one-time appropriations that are anticipated to support new ongoing costs.



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. 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.

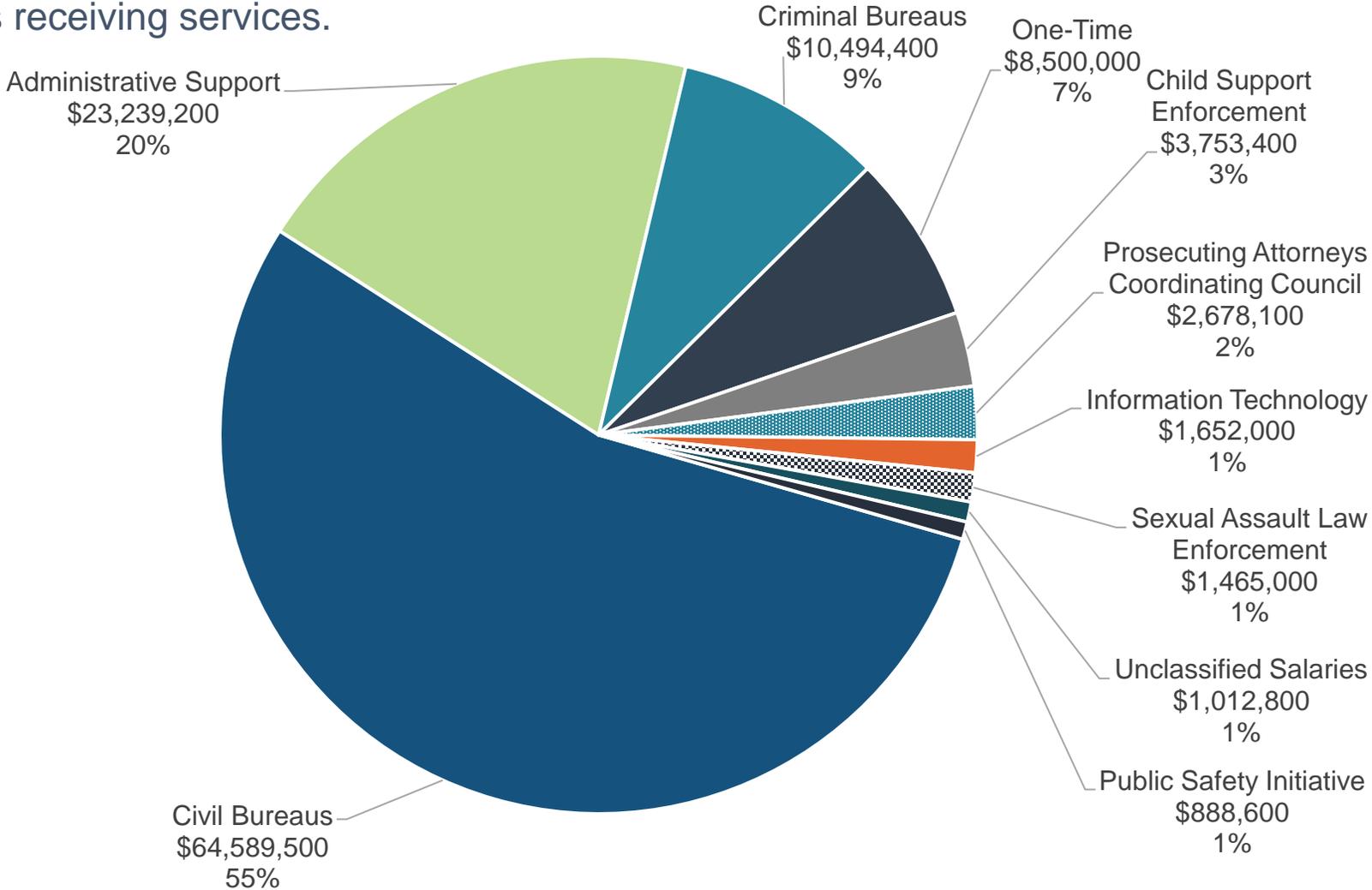
Public Safety Initiative: Prosecutorial assistance for selected high-crime areas.

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.

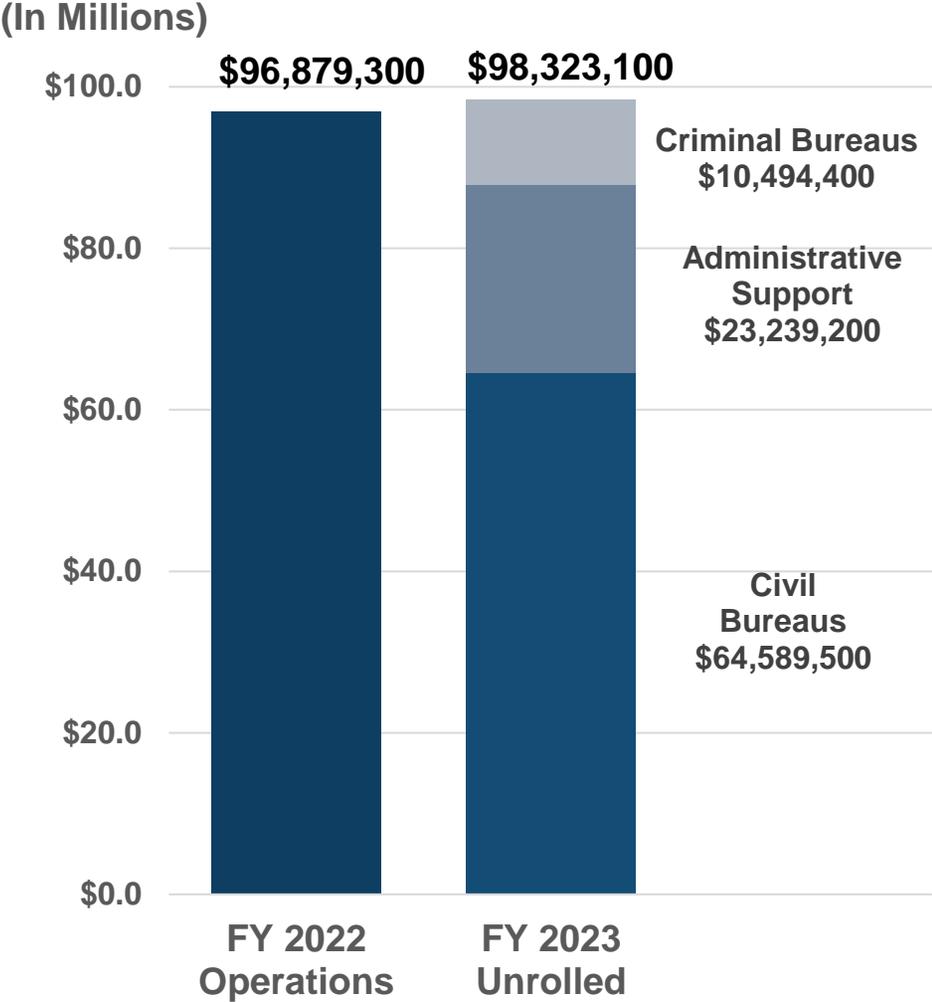
FY 2022-23 Gross Appropriations

Of the \$118.3 million Attorney General budget, 83% is appropriated for the three new lines unrolled from Operations, a large portion of which are funded through interdepartmental grants (IDGs) and restricted fund sources from departments and programs receiving services.



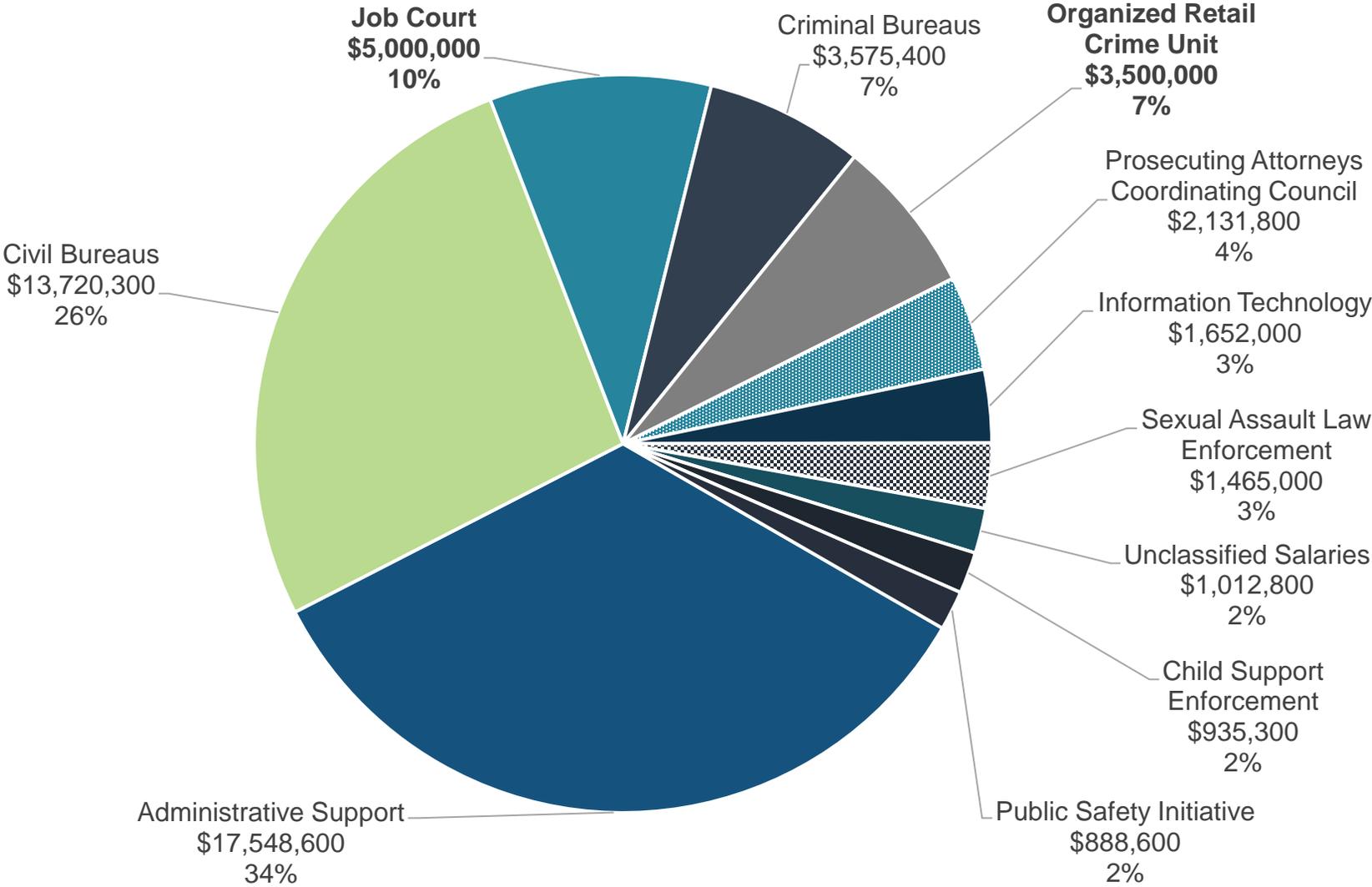
FY 2022-23 Operations Line Item Unroll

- In FY 2021-22, \$96.9 million, or 90% of the department’s budget, and 498.4 FTE positions was appropriated to the Operations line. The line was unrolled into 3 new line items in FY 2022-23.
- **Criminal Bureaus (90.4 FTEs)**– Units include Child Elder Family Financial Crimes, Criminal Appellate, Criminal, Criminal Investigations, and Health Care Fraud.
- **Administrative Support (46.0 FTEs)**– Supports benefits for unclassified positions, contractual services, supplies, building occupancy and rent. Units include Executive, Opinions Review Board, Legislative Affairs, Communications, and Human Resources.
- **Civil Bureaus (362.0 FTEs)**– Units enforcing civil laws and representing state departments, including: Civil Rights and Elections, Consumer Protection, Special Litigation, Corporate Oversight, Public Service Commission, Public Administration, and others.



FY 2022-23 GF/GP Appropriations

GF/GP funds total **\$51.4 million**. One-time GF/GP appropriations total **\$8.5 million**, as shown in bold.

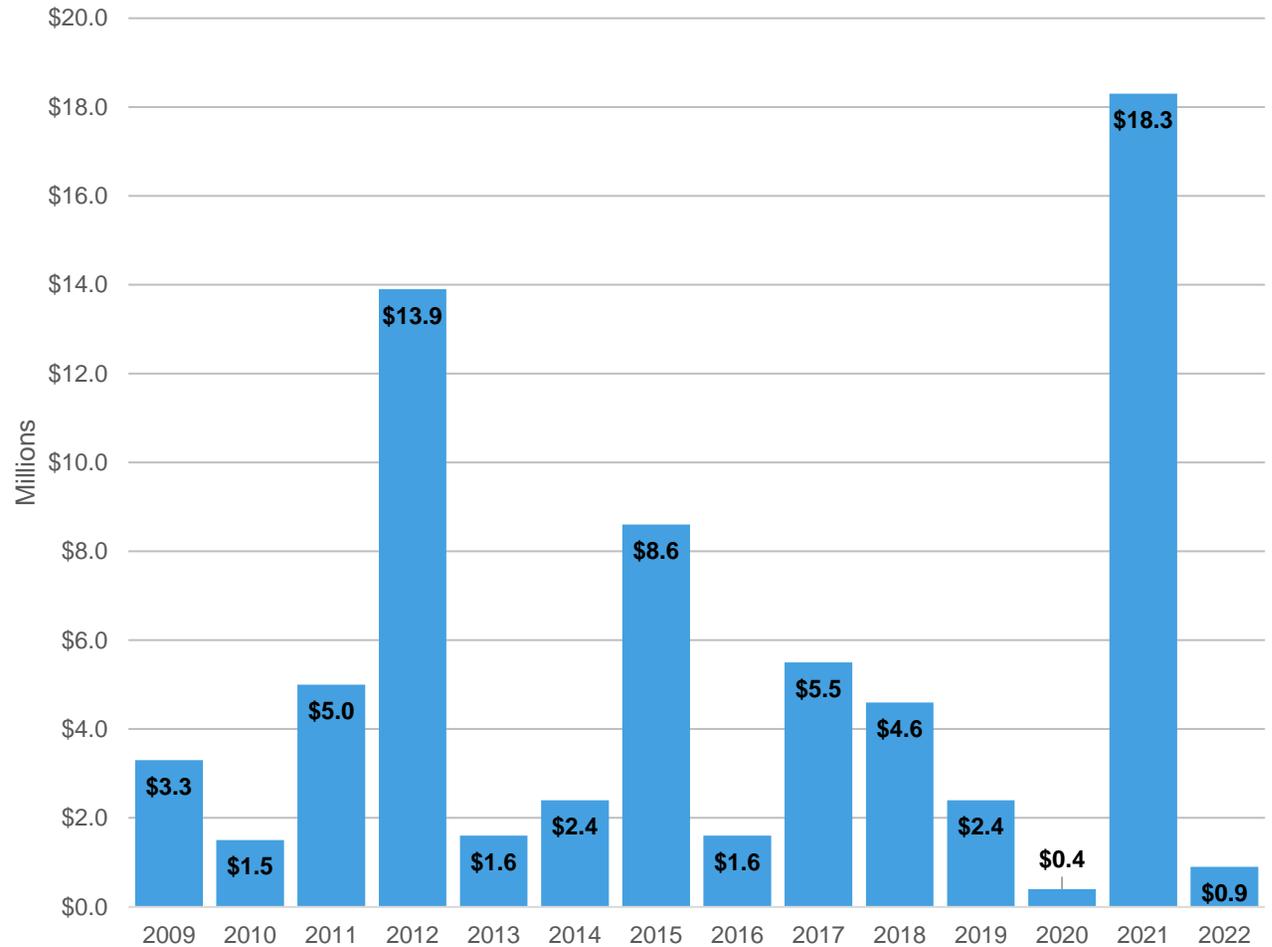


Major Budget Topics

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.
- Money in the fund is unobligated and can be appropriated for any purpose.
- Annual revenue varies significantly. Appropriations from the fund may not be supported if the end-of-year balance is insufficient.

Lawsuit Settlement Proceeds Fund
Annual Deposit Revenue



Department Initiatives and Programs

The department initiates various limited-time programs and initiatives to address various state issues. Expenditures for units and programs created to address these issues are appropriated in Criminal Bureaus and Civil Bureaus line items.

Catholic Church Investigation – Investigation into allegations of sexual abuse by Catholic church clergy.

Elder Abuse Task Force – 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 – 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 – Supplements local authorities and prosecutors in prosecuting drug enforcement cases.

Department Initiatives and Programs

Hate Crimes Unit – Focuses on criminal prosecution of bias-motivated crimes in which a victim is targeted because of race, religion, national origin, sexual orientation, gender, or gender-identity.

PFAS Contamination – 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 – 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 – Partners with federal agencies, attorneys general, and other stakeholders to raise public awareness and education and track ongoing scams.

Payroll Fraud Enforcement Unit – Investigates employers committing payroll fraud by failing to pay workers' full wages and benefits.

Sexual Assault Law Enforcement

The attorney general's office, along with the Michigan State Police, has been addressing the issue of untested sexual assault kits and the resulting investigations and prosecutions.

- **August 2009:** Approximately 11,300 sexual assault kits discovered upon 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 Wayne County Prosecutor's Office
- **FY 2015-16 – FY 2020-21: \$1.7 million** for testing of kits statewide, except Wayne County, and for assisting with investigations and prosecutions that result
- **FY 2021-22 – FY 2022-23: \$1.5 million** annually in continued funding for testing, investigating, and prosecuting cases statewide

Through agreements with Kalamazoo, Ingham, Jackson, Calhoun, Washtenaw, and Wayne Counties, prosecutions have led to **20** convictions and hundreds of completed and ongoing investigations according to the most recent annual report.

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

For more information about the Attorney General budget:

HFA Resources

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

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