



# 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 2017-18 is October 1, 2017 through September 30, 2018.

**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.

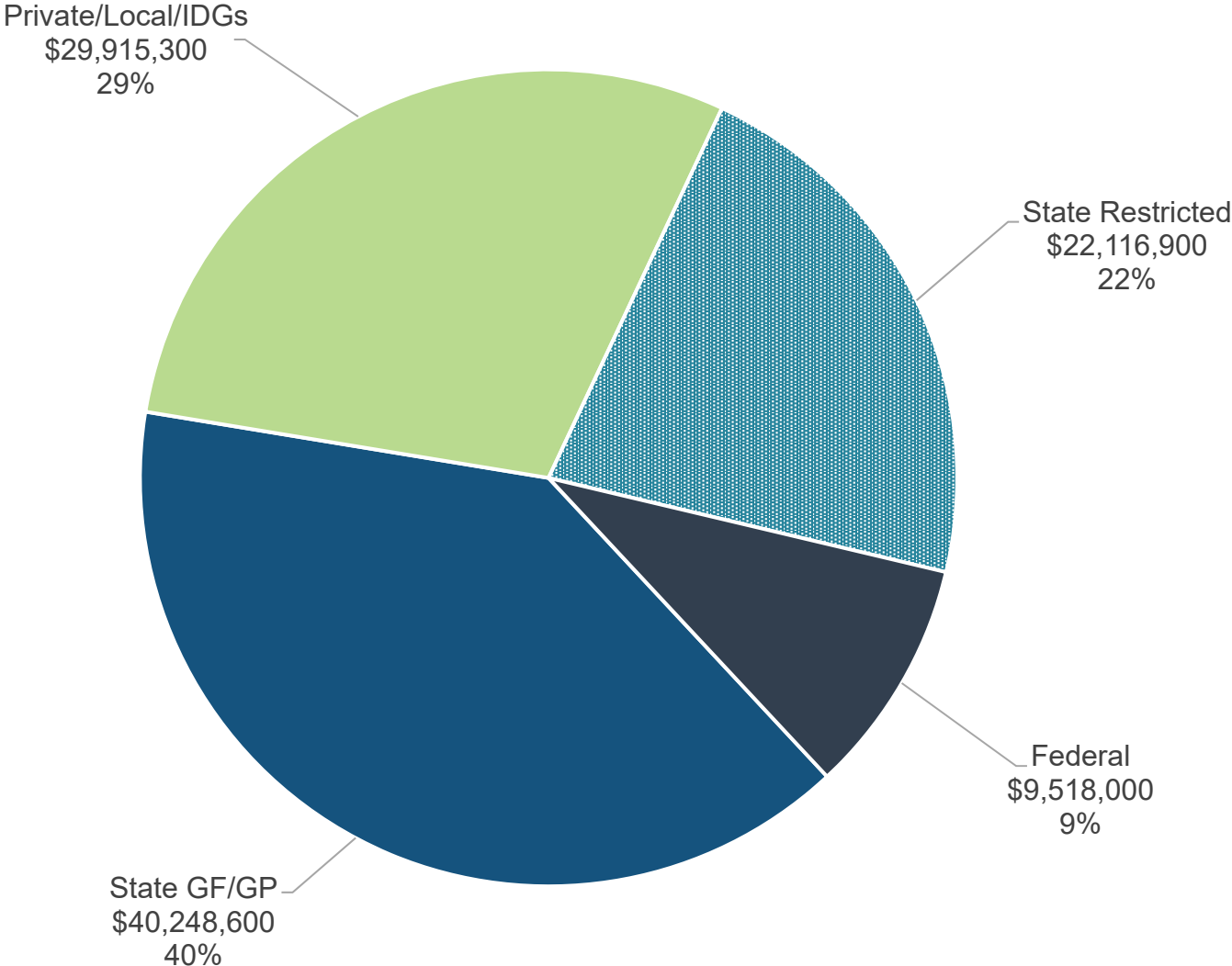
# Funding Sources

# FY 2017-18 Attorney General Budget

Fund Source	Funding	Description
Gross Appropriations	\$101,798,800	Total spending authority from all revenue sources
Interdepartmental Grants (IDG) Revenue	29,915,300	Funds received by one state department from another state department, usually for services provided
Adjusted Gross Appropriations	\$71,883,500	Gross appropriations excluding IDGs; avoids double counting when adding appropriation amounts across budget areas
Federal Revenue	9,518,000	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	22,116,900	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	\$40,248,600	Unrestricted revenue from taxes and other sources available to fund basic state programs and other purposes determined by the Legislature

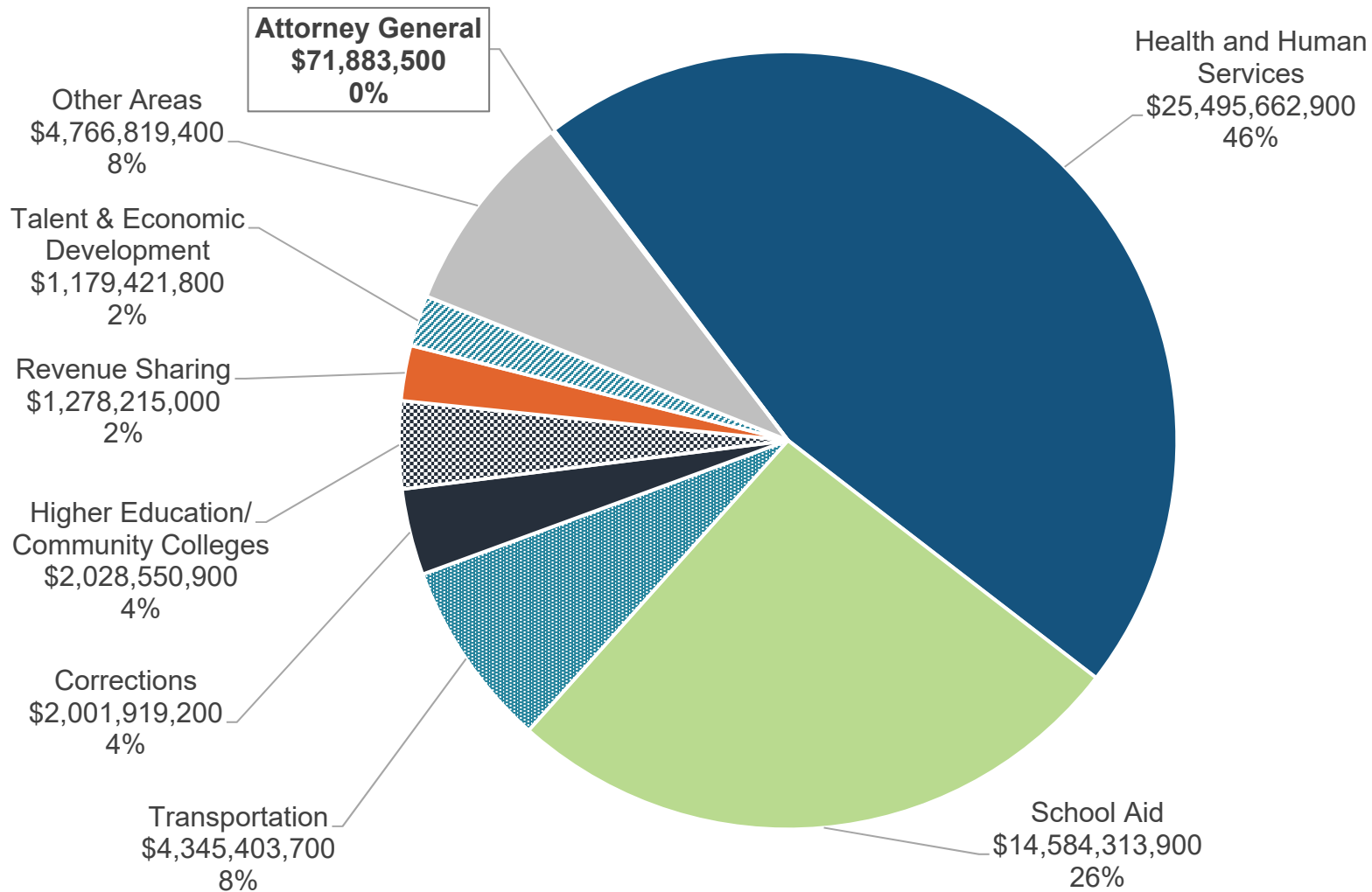
# FY 2017-18 Fund Sources

40% of the \$101.8 million Attorney General budget is funded by general fund/general purpose revenue.



# Attorney General Share of Total State Budget

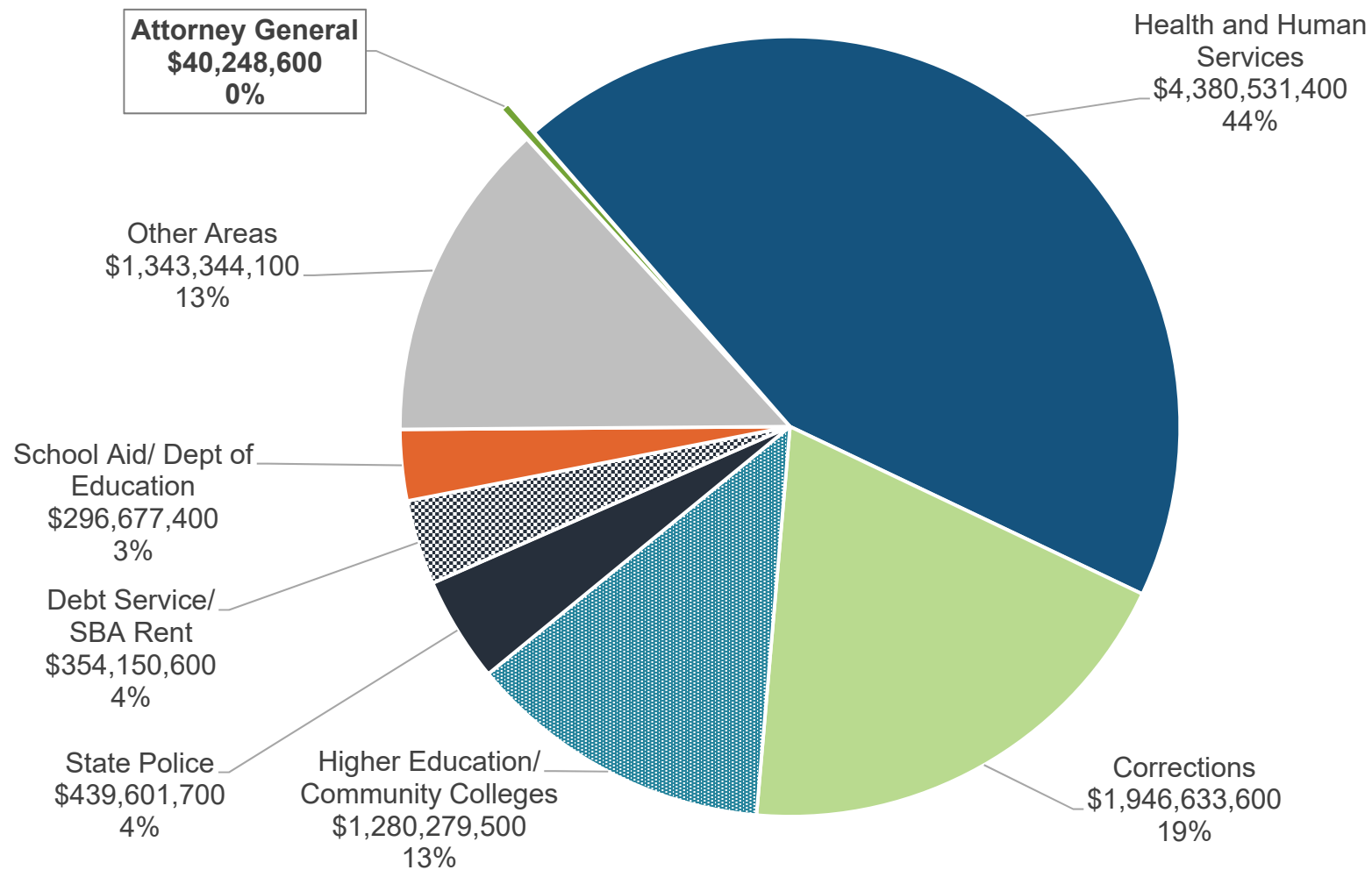
The Attorney General budget represents 0.1% of the **\$55.8 billion** state budget (adjusted gross) for FY 2017-18.





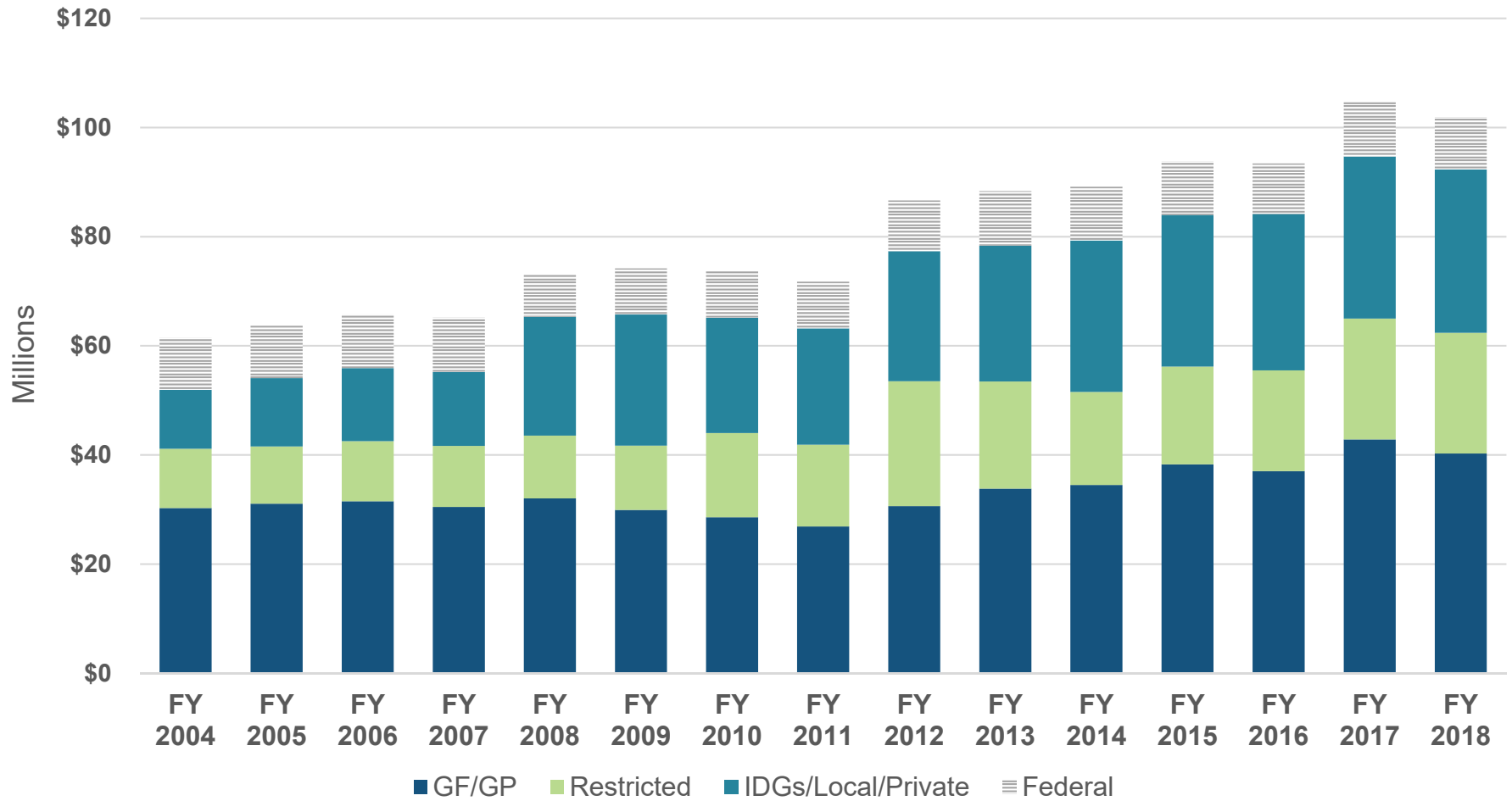
# Attorney General Share of Total GF/GP Budget

The Attorney General budget also represents 0.4% of the state's **\$10.1 billion** GF/GP budget for FY 2017-18.



# Attorney General - Funding History

Funding for the Attorney General has grown by 65% since FY 2003-04, driven mainly by the pre-funding of retiree health care in FY 2012, increasing one-time appropriations, and expanded enforcement responsibilities and caseloads.



# 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.

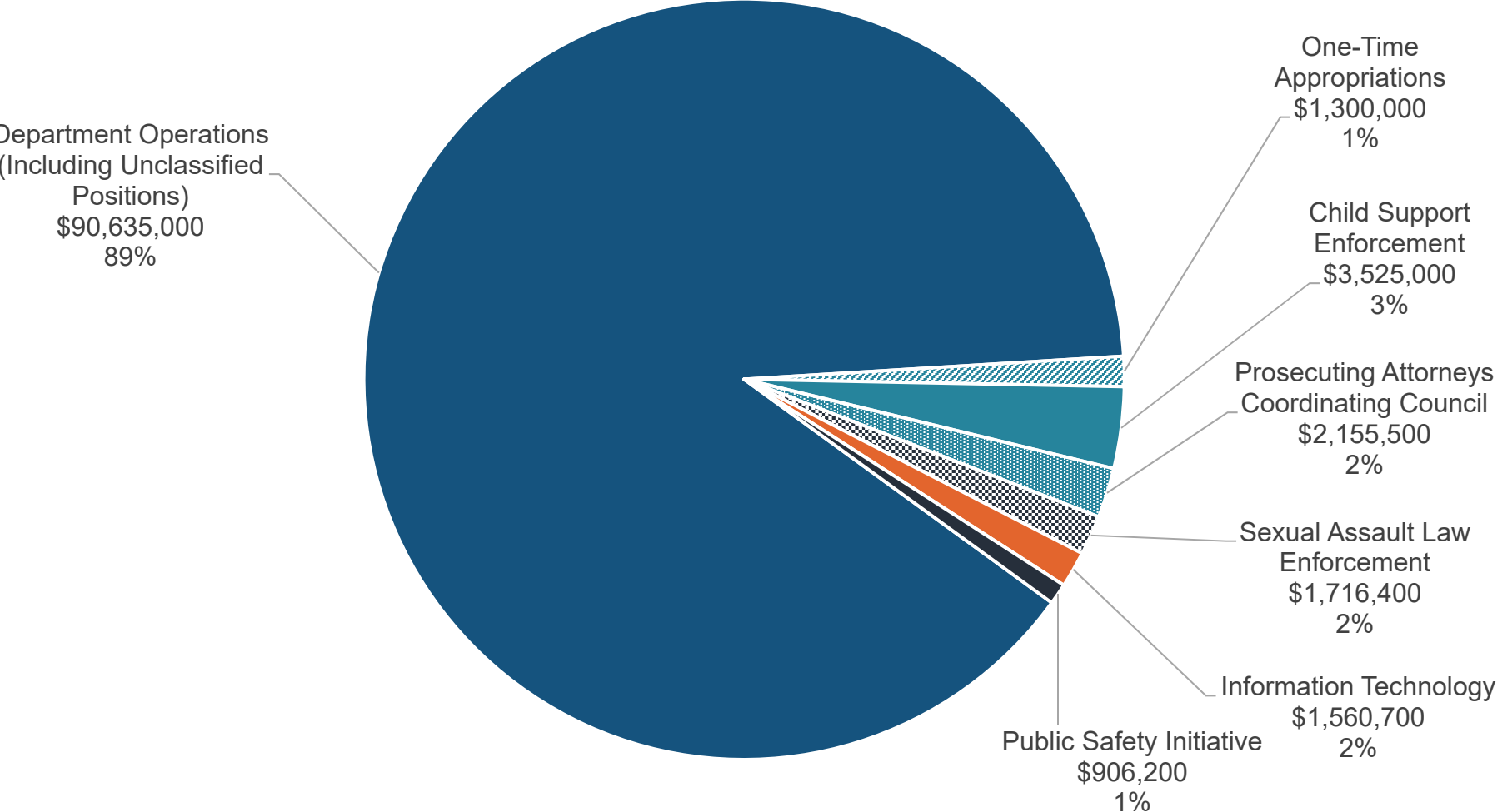
**Sexual Assault Law Enforcement:** Funding to reduce the backlog of sexual assault kits in communities statewide, except Wayne County, and to assist with investigations and prosecutions that may result.

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

**Investigation and Enforcement Activities:** Costs associated with enforcement of various regulations including oversight of medical marijuana facilities, unlicensed professionals, prescription drug abuse, and bad-faith patent infringements.

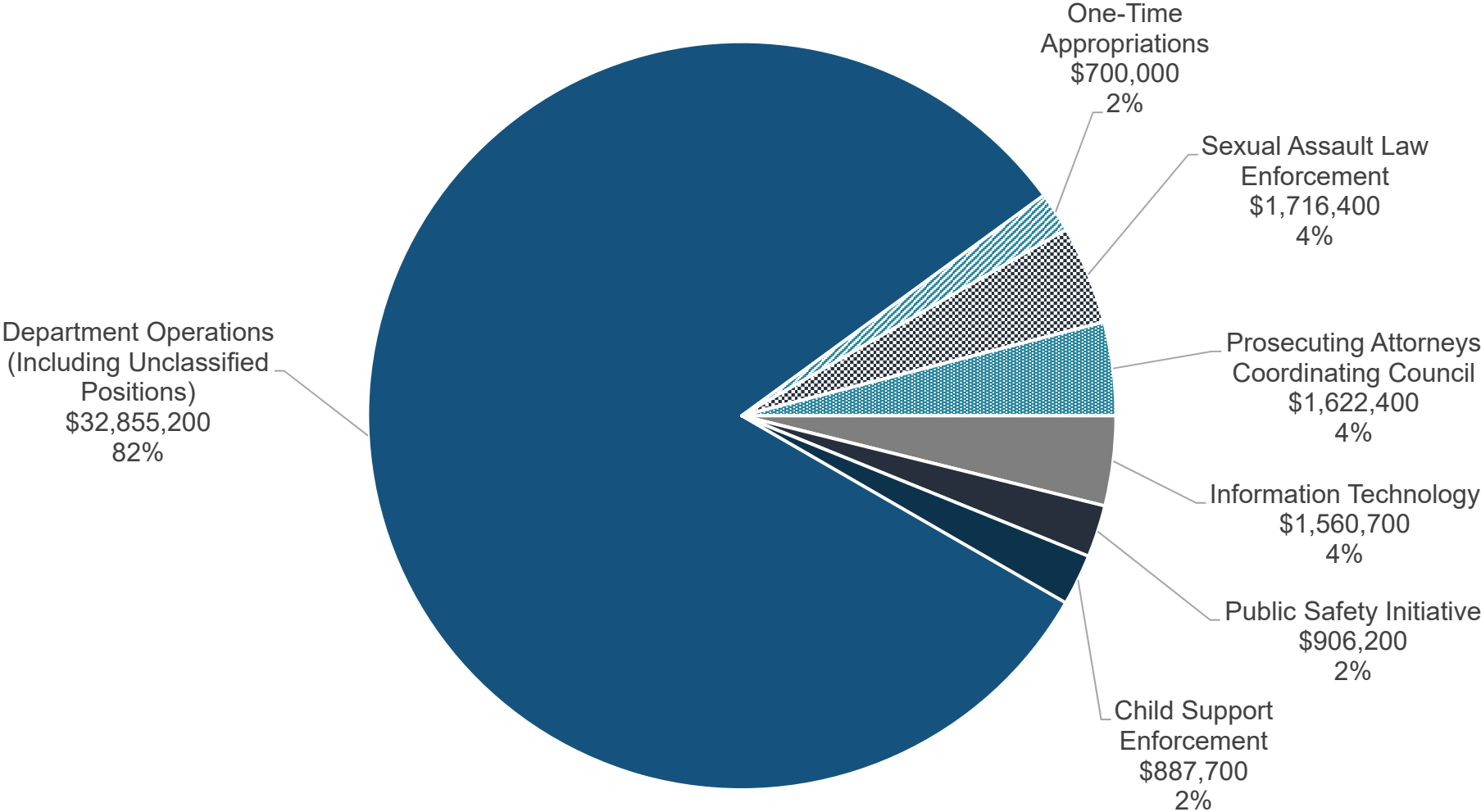
# FY 2017-18 Gross Appropriations

About 89% of the \$101.8 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 2017-18 GF/GP Appropriations

82% of Attorney General GF/GP funds (totaling \$40.2 million) go to department operations. Sexual assault law enforcement makes up the second largest portion of GF/GP funds this fiscal year.



# Major Budget Topics

# Sexual Assault Kits Prosecutions & Testing

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 and the resulting investigations and prosecutions

- **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
- **FY 2017-18:** \$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, court procedure changes, research assistance, and continuing professional education
- Administers grant-funded services
- Coordinates state prosecution activities and office automation
- FY 2017-18: Received \$1.3 million one-time funding in addition to \$2.2 million in ongoing funding. One-time funding includes:
  - \$700,000 GF/GP for costs associated with retroactive juvenile life without parole sentencing
  - \$600,000 (\$0 GF/GP) for NextGen IT case management system

# Prescription Drug/Opioid Addiction

Prescription drug and opioid abuse has been deemed responsible for almost 2,000 deaths in Michigan in 2015, up 25% from 2013, and Michigan was identified by the Centers for Disease Control as one of 19 states having a statistically significant increase in opioid-related deaths. To help address this issue, the Attorney General has been appropriated funds in FY 2016-17 and FY 2017-18 for investigations and prosecutions related to drug crimes. Widely seen as a growing problem, funding for this issue may likely be maintained or increase in the coming years

- **June 2015:** The Michigan Prescription Drug and Opioid Abuse Task Force created to address the growing problem of prescription drug and opioid addiction
- **June 2016:** \$700,000 GF/GP in one-time funding appropriated to the Attorney General in FY 2016-17 to create a drug investigation and prosecution unit
- **May 2017:** The investigation and prosecution unit is fully operational and is named the Opioid Trafficking and Interdiction Unit
- **May 2017:** Attorney General Bill Schuette urges the Michigan Legislature to direct \$859,000 GF/GP from Michigan's share of a national pharmaceutical settlement to opioid addiction education and prevention efforts
- **June 2017:** \$700,000 GF/GP appropriation shifts funding from one-time in the previous fiscal year to ongoing for the Opioid Trafficking and Interdiction Unit

# Flint Water Investigation and Lawsuit Settlement Proceeds Fund

**Lawsuit Settlement Proceeds Fund:** Proceeds to the fund are lawsuit winnings awarded to the state through the efforts of the Department of Attorney General. Proceeds are unobligated when collected but are considered restricted funds when they are appropriated. Proceeds that remain unappropriated at the end of the fiscal year lapse to the General Fund. The Department's regular use of the fund began in FY 2015-16 for expenses related to the Flint water contamination Declaration of Emergency. FY 2017-18 saw a decrease in authorization for Flint expenditures and an expansion to other purposes

- FY 2015-16: \$1.3 million for Flint water crisis
- FY 2016-17: \$2.6 million for Flint water crisis
- FY 2017-18: \$2.6 million for Flint water crisis; \$600,000 for PACC IT system; \$180,000 for patent infringement enforcement

**Flint Water Investigation:** All expended proceeds appropriated for the Flint water crisis up to FY 2016-17 have been spent on the ongoing independent Flint water investigation by a Special Assistant to the Attorney General (SAAG). Contracts totaling \$7.5 million have been approved for the SAAG.

# For more information about the Attorney General budget:

## HFA Resources

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

## Contact Information

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