

Agency Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Agency Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	77,705,878	86,358,934	8,653,056	11.14 %
Operating Expenses	18,362,193	20,997,144	2,634,951	14.35 %
Equipment & Intangible Assets	323,232	366,232	43,000	13.30 %
Grants	1,380,000	1,430,000	50,000	3.62 %
Benefits & Claims	7,345,100	12,500,050	5,154,950	70.18 %
Transfers	4,389,895	0	(4,389,895)	(100.00)%
Debt Service	389,429	0	(389,429)	(100.00)%
Total Expenditures	\$109,895,727	\$121,652,360	\$11,756,633	10.70 %
General Fund	103,617,724	113,693,826	10,076,102	9.72 %
State/Other Special Rev. Funds	6,073,589	7,204,607	1,131,018	18.62 %
Federal Spec. Rev. Funds	204,414	753,927	549,513	268.82 %
Total Funds	\$109,895,727	\$121,652,360	\$11,756,633	10.70 %
Total Ongoing	\$108,236,963	\$119,543,859	\$11,306,896	10.45 %
Total OTO	\$1,658,764	\$2,108,501	\$449,737	27.11 %

Agency Description

Mission Statement: The Judicial Branch's mission is to provide an independent, accessible, responsive, impartial, and timely forum to resolve disputes; to preserve the rule of law; and to protect the rights and liberties guaranteed by the Constitutions of the United States and Montana.

Article III, Section I, and Article VII of the Montana Constitution authorizes the Judicial Branch. There are five programs within the branch: 1) Supreme Court Operations; 2) Law Library; 3) District Court Operations; 4) Water Court Supervision; and 5) Clerk of the Supreme Court.

Agency Highlights

Judicial Branch Major Budget Highlights
<p>The 2025 biennium budget for the Judicial Branch is nearly 10.7% or \$11.8 million higher than the 2023 biennium. More significant changes include:</p> <ul style="list-style-type: none"> • \$8.0 million in general fund for statewide present law adjustments to personal services, fixed costs, and inflation • \$1.7 million in one-time-only general fund to continue the existing pre-trial diversion program • \$1.3 million state special revenue associated with 8.00 FTE for eight Montana drug courts (five in FY 2024 with three additional in FY 2025) coming off federal grant funding • \$600,000 in one-time-only general fund to expand family mediation functions

Agency Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Agency Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	466.44	466.44	469.39	472.39
Personal Services	35,598,505	37,964,863	39,741,015	42,974,140	43,384,794
Operating Expenses	8,575,481	9,163,492	9,198,701	10,511,936	10,485,208
Equipment & Intangible Assets	113,798	140,116	183,116	183,116	183,116
Grants	485,354	690,000	690,000	715,000	715,000
Benefits & Claims	606,090	1,331,475	6,013,625	6,170,825	6,329,225
Transfers	4,389,895	4,389,895	0	0	0
Debt Service	383,496	389,429	0	0	0
Total Expenditures	\$50,152,619	\$54,069,270	\$55,826,457	\$60,555,017	\$61,097,343
General Fund	47,533,812	50,937,484	52,680,240	56,754,677	56,939,149
State/Other Special Rev. Funds	2,533,502	3,029,857	3,043,732	3,422,250	3,782,357
Federal Spec. Rev. Funds	85,305	101,929	102,485	378,090	375,837
Total Funds	\$50,152,619	\$54,069,270	\$55,826,457	\$60,555,017	\$61,097,343
Total Ongoing	\$49,493,881	\$53,240,017	\$54,996,946	\$59,424,828	\$60,119,031
Total OTO	\$658,738	\$829,253	\$829,511	\$1,130,189	\$978,312

Summary of Legislative Action

The 2025 biennium budget for the Judicial Branch is an increase of 10.6% or \$11.7 million when compared to the FY 2023 base budget appropriation. Important adoptions by the legislature in addition to statewide present law adjustments include:

- \$1.7 million in one-time-only general fund to continue the existing pre-trial diversion program which began during the 2019 biennium and is currently being implemented in five Montana counties. Funding has been approved as one-time-only each biennium since then
- \$1.3 million in state special revenue authority to fund 8.00 FTE and eight drug courts coming off federal grant funding during the 2025 biennium with HB 2 language stating the courts be funded with opioid settlement funds received through the McKinsey & Company, Inc. lawsuit
- \$600,000 in one-time-only general fund for family mediation functions. The legislature expanded family mediation services that are currently being utilized in Yellowstone County and bring these services to other areas of the state
- \$403,000 in federal funding for grants related to the Court Improvement Program. The Judicial Branch currently receives three separate awards: basic, data, and training, and these grants are now included in HB 2

Funding

The following table shows adopted agency funding for all sources of authority.

Total Judicial Branch Funding by Source of Authority 2025 Biennium Budget Request - Judicial Branch						
Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	111,685,018	2,008,808	0	0	113,693,826	93.03 %
State Special Total	7,104,914	99,693	0	0	7,204,607	5.89 %
Federal Special Total	753,927	0	0	0	753,927	0.62 %
Proprietary Total	0	0	563,412	0	563,412	0.46 %
Other Total	0	0	0	0	0	0.00 %
Total All Funds	\$119,543,859	\$2,108,501	\$563,412	\$0	\$122,215,772	
Percent - Total All Sources	97.81 %	1.73 %	0.46 %	0.00 %		

The Judicial Branch is primarily supported by general fund. State special revenue supports specific functions, the largest of which is the Water Court. The water adjudication fund supports over half of the funding for the Water Court. Other sources of state special revenue include fines, fees, assessments for training events, and the youth court intervention and prevention account, which according to statute, receives revenue from the transfer of unexpended general fund juvenile placement funds. Additionally, the branch receives a small amount of federal funding for grants supporting specific projects such as the Court Assessment 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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	51,850,729	51,850,729	103,701,458	91.21 %	54,996,946	54,996,946	109,993,892	90.42 %
SWPL Adjustments	3,900,496	4,180,991	8,081,487	7.11 %	4,038,989	4,331,227	8,370,216	6.88 %
PL Adjustments	1,351	967	2,318	0.00 %	1,349	967	2,316	0.00 %
New Proposals	1,002,101	906,462	1,908,563	1.68 %	1,517,733	1,768,203	3,285,936	2.70 %
Total Budget	\$56,754,677	\$56,939,149	\$113,693,826		\$60,555,017	\$61,097,343	\$121,652,360	

Other Legislation

HB 10 - This bill revises laws related to financing state IT and appropriates money for information technology capital projects. The Judicial Branch is appropriated \$782,500 from the Long Range Information Technology Program (LRITP) for a courtroom remote appearance video system and \$500,000 from the LRITP for courthouse security initiatives. The Office of Court Administrator shall submit a project and security plan.

HB 16 - This bill provides \$450,000 to the Judicial Branch for implementation of HB 16. This bill increases the statutory timeframe for holding an Emergency Protective Services (EPS) hearing from 3 days to 5 days. Appropriations are provided for hiring facilitators for prehearing conferences. Additional federal authority is appropriated in HB 2 for the Judicial Branch to contribute existing CIP grant funding for expenditures over and above the \$450,000 appropriation.

Executive Budget Comparison

The following table compares the legislative budget for the biennium to the budget requested by the Governor by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Approp. Fiscal 2023	Executive Budget Fiscal 2024	Legislative Budget Fiscal 2024	Leg — Exec. Difference Fiscal 2024	Executive Budget Fiscal 2025	Legislative Budget Fiscal 2025	Leg — Exec. Difference Fiscal 2025	Biennium Difference Fiscal 24-25
FTE	466.44	475.44	469.39	(6.05)	478.44	472.39	(6.05)	(6.05)
Personal Services	39,741,015	43,360,367	42,974,140	(386,227)	43,772,005	43,384,794	(387,211)	(773,438)
Operating Expenses	9,198,701	10,165,978	10,511,936	345,958	10,337,158	10,485,208	148,050	494,008
Equipment & Intangible Assets	183,116	183,116	183,116	0	183,116	183,116	0	0
Grants	690,000	715,000	715,000	0	715,000	715,000	0	0
Benefits & Claims	6,013,625	6,170,825	6,170,825	0	6,329,225	6,329,225	0	0
Transfers	0	0	0	0	0	0	0	0
Debt Service	0	0	0	0	0	0	0	0
Total Costs	\$55,826,457	\$60,595,286	\$60,555,017	(\$40,269)	\$61,336,504	\$61,097,343	(\$239,161)	(\$279,430)
General Fund	52,680,240	56,703,196	56,754,677	51,481	56,981,082	56,939,149	(41,933)	9,548
State/other Special Rev. Funds	3,043,732	3,583,137	3,422,250	(160,887)	4,045,273	3,782,357	(262,916)	(423,803)
Federal Spec. Rev. Funds	102,485	308,953	378,090	69,137	310,149	375,837	65,688	134,825
Other	0	0	0	0	0	0	0	0
Total Funds	\$55,826,457	\$60,595,286	\$60,555,017	(\$40,269)	\$61,336,504	\$61,097,343	(\$239,161)	(\$279,430)
Total Ongoing	\$54,996,946	\$60,595,286	\$59,424,828	(\$1,170,458)	\$61,336,504	\$60,119,031	(\$1,217,473)	(\$2,387,931)
Total OTO	\$829,511	\$0	\$1,130,189	\$1,130,189	\$0	\$978,312	\$978,312	\$2,108,501

The legislature adopted ongoing appropriations that are approximately \$2.4 million lower than the proposed appropriations for the 2025 biennium. Additionally, the legislature adopted one-time-only appropriations that are nearly \$2.1 million higher than the proposed appropriations for the biennium resulting in an overall decrease from the executive's proposal of \$280,000.

The major differences from the budget requested by the executive include:

- (\$640,000) - The legislature adopted the removal of six positions across three divisions totaling 5.05 FTE that had been vacant for a period of two years or longer
- (\$400,000) - The legislature adopted reductions in statewide present law adjustments to inflation
- (\$136,000) - The legislature did not adopt 1.00 FTE and associated general fund for a security specialist to oversee safety and security in Montana courts
- (\$78,000) - The legislature did not adopt 1.00 FTE and associated general fund for a new appellate case manager in the Clerk of Court
- \$0 - The legislature adopted to continue the pilot pretrial program currently being implemented in five Montana counties but provided this funding as one-time-only instead of ongoing as requested by the executive
- \$100,000 - The legislature adopted one-time-only state special revenue for the Judicial Branch to begin using the University of Cincinnati Correctional Program Checklist in order to evaluate Montana drug courts
- \$600,000 - The legislature adopted one-time-only general fund to help continue family mediation functions currently being offered in Yellowstone County and to expand these functions to other areas of the state

Language and Statutory Authority

The legislature adopted the following language in HB 2:

"The Supreme Court Operations program includes a one-time-only reduction in FY 2024 and FY 2025 for a suspension of insurance premium payments to the Risk Management and Tort Defense Division's proprietary fund."

"Funding for Expiring Drug Courts is to be fully funded through opioid abatement funds received from the State of Montana v. McKinsey & Company, Inc. lawsuit."

"Appropriations in CPC Evaluations may be used by the Judicial Branch to implement the Correctional Institute of Cincinnati correctional program checklist to perform evaluations on Montana drug courts."

"Supreme Court Operations includes an increase in general fund of \$74,130 in FY 2024 and \$88,376 in FY 2025. The increase was provided to offset inflationary impacts. The Judicial Branch may allocate this increase in funding among programs when developing 2025 biennium operating plans."

Additionally, the legislature adopted the following HB 2 language, contingent on the passage and approval of other bills, and the adjustments to HB 2 appropriations are included as decision packages and incorporated in the tables in the fiscal report:

"If HB 16 is passed and approved, the Judicial Branch is increased by \$70,692 federal special revenue in FY 2024 and \$67,892 federal special revenue in FY 2025."

"If HB 500 is passed and approved, the Judicial Branch is increased by \$184,965 general fund and decreased by \$184,965 state special revenue in FY 2024 and is increased by \$184,965 general fund and decreased by \$184,965 state special revenue in FY 2025."

"If HB 722 is passed and approved, the Judicial Branch is increased by \$71,928 general fund in FY 2024 and \$69,345 general fund in FY 2025, and the Judicial Branch may increase full-time equivalent positions authorized in HB 2 by 1.00 FTE in FY 2024 and 1.00 FTE in FY 2025."

"If SB 224 is passed and approved, the Judicial Branch is increased by \$52,000 general fund in FY 2024."

"If SB 250 is passed and approved, the Judicial Branch is increased by \$7,563 general fund in FY 2024."

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	16,141,167	17,960,736	1,819,569	11.27 %
Operating Expenses	11,524,584	13,617,947	2,093,363	18.16 %
Equipment & Intangible Assets	17,770	17,770	0	0.00 %
Grants	1,380,000	1,430,000	50,000	3.62 %
Benefits & Claims	7,275,100	12,430,050	5,154,950	70.86 %
Transfers	4,389,895	0	(4,389,895)	(100.00)%
Debt Service	175,898	0	(175,898)	(100.00)%
Total Expenditures	\$40,904,414	\$45,456,503	\$4,552,089	11.13 %
General Fund	39,056,480	42,058,002	3,001,522	7.69 %
State/Other Special Rev. Funds	1,643,520	2,644,574	1,001,054	60.91 %
Federal Spec. Rev. Funds	204,414	753,927	549,513	268.82 %
Total Funds	\$40,904,414	\$45,456,503	\$4,552,089	11.13 %
Total Ongoing	\$39,245,650	\$43,348,002	\$4,102,352	10.45 %
Total OTO	\$1,658,764	\$2,108,501	\$449,737	27.11 %

Program Description

The Supreme Court has appellate jurisdiction for the state of Montana. The court has original jurisdiction to issue, hear, and determine writs of habeas corpus and other writs provided by law. It also has general supervisory control over all other courts in the state. The Supreme Court is charged with establishing rules governing appellate procedure, the practice and procedure for all other courts, and admission to the bar and conduct of its members. Within the Supreme Court Operations program, the Office of Court Administrator provides centralized services to the Judicial Branch including information technology, budget and finance, payroll and human resource management, policy and technical support for the Youth Courts, judicial education, and services provided through the federal Court Improvement Program related to child abuse and neglect cases. Drug treatment courts also sit within the Supreme Court Operations.

The Boards and Commissions sub-program provides staff and other support to constitutionally and statutorily required commissions attached to the Montana Supreme Court, specifically the Judicial Standards Commission, the Sentence Review Board, and the Commission on Courts of Limited Jurisdiction. The sub-program also supports activities of the Commission on Practice. Other specialized commissions and task forces - not required by the Constitution and statute but created by the Supreme Court to address specific issues - receive minimal financial assistance with travel expenses and supplies.

Program Highlights

**Supreme Court Operations
Major Budget Highlights**

The legislature adopted a 2025 biennium budget for Supreme Court Operations that is nearly 11.1% or \$4.6 million higher than the 2023 biennium budget. More significant changes include:

- \$1.7 million in one-time only general fund to continue the existing pre-trial diversion program
- \$1.5 million for statewide present law adjustments to personal services, fixed costs, and inflation
- \$1.3 million in state special revenue and 8.00 FTE associated with eight MT drug courts coming off startup federal grant funding
- \$600,000 in one-time-only biennial general fund to expand on family mediation functions
- \$403,000 in federal funding for grants related to the Court Improvement Program, which had previously been included in HB 4

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	94.50	94.50	102.00	105.00
Personal Services	7,149,618	7,913,513	8,227,654	8,836,326	9,124,410
Operating Expenses	5,491,669	5,851,286	5,673,298	6,837,910	6,780,037
Equipment & Intangible Assets	0	8,885	8,885	8,885	8,885
Grants	485,354	690,000	690,000	715,000	715,000
Benefits & Claims	593,348	1,296,475	5,978,625	6,135,825	6,294,225
Transfers	4,389,895	4,389,895	0	0	0
Debt Service	175,896	175,898	0	0	0
Total Expenditures	\$18,285,780	\$20,325,952	\$20,578,462	\$22,533,946	\$22,922,557
General Fund	17,745,807	19,402,263	19,654,217	21,009,804	21,048,198
State/Other Special Rev. Funds	454,668	821,760	821,760	1,146,052	1,498,522
Federal Spec. Rev. Funds	85,305	101,929	102,485	378,090	375,837
Total Funds	\$18,285,780	\$20,325,952	\$20,578,462	\$22,533,946	\$22,922,557
Total Ongoing	\$17,627,042	\$19,496,699	\$19,748,951	\$21,403,757	\$21,944,245
Total OTO	\$658,738	\$829,253	\$829,511	\$1,130,189	\$978,312

Funding

The following table shows proposed agency funding for all sources of authority.

Judicial Branch, 01-Supreme Court Operations Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	42,058,002	0	0	42,058,002	92.52 %
02151 YthCrt Intervention?evention	115,954	0	0	115,954	4.38 %
02399 Judicial Education Conferences	122,770	0	0	122,770	4.64 %
02536 Legal Assistance	256,647	0	0	256,647	9.70 %
02961 State Grants to Drug Courts	293,156	0	0	293,156	11.09 %
02373 Treatment Court Support Acct	1,756,047	0	0	1,756,047	66.40 %
02374 Pretrial Diversion Program	100,000	0	0	100,000	3.78 %
State Special Total	\$2,644,574	\$0	\$0	\$2,644,574	5.82 %
03153 Court Improvement Prg Grants	138,584	0	0	138,584	18.38 %
03240 Court Assessment Program	615,343	0	0	615,343	81.62 %
Federal Special Total	\$753,927	\$0	\$0	\$753,927	1.66 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$45,456,503	\$0	\$0	\$45,456,503	

General fund supports the majority of costs within the Supreme Court Operations Division.

State special revenue supports administration of juvenile delinquency intervention prevention funds, training for judges from conference fees, legal assistance for indigent victims of domestic violence from court filing fees primarily from dissolution of marriage filings, and grants to drug courts from drug court fees charged to participants.

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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	18,824,706	18,824,706	37,649,412	89.52 %	19,748,951	19,748,951	39,497,902	86.89 %
SWPL Adjustments	922,828	1,046,177	1,969,005	4.68 %	934,177	1,060,849	1,995,026	4.39 %
PL Adjustments	1,351	967	2,318	0.01 %	1,349	967	2,316	0.01 %
New Proposals	1,260,919	1,176,348	2,437,267	5.79 %	1,849,469	2,111,790	3,961,259	8.71 %
Total Budget	\$21,009,804	\$21,048,198	\$42,058,002		\$22,533,946	\$22,922,557	\$45,456,503	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	399,294	0	1,516	400,810	0.00	433,576	0	1,606	435,182
DP 2 - Fixed Costs	0.00	109,545	110	0	109,655	0.00	128,903	110	0	129,013
DP 3 - Inflation Deflation	0.00	413,989	6,405	3,318	423,712	0.00	483,698	8,532	4,424	496,654
DP 20 - SABHRS Rate Adjustment	0.00	1,351	(2)	0	1,349	0.00	967	0	0	967
DP 222 - RMTD Adjustment	0.00	165,493	166	0	165,659	0.00	165,518	141	0	165,659
DP 223 - RMTD Adjustment (OTO)	0.00	(165,493)	(166)	0	(165,659)	0.00	(165,518)	(141)	0	(165,659)
Grand Total All Present Law Adjustments	0.00	\$924,179	\$6,513	\$4,834	\$935,526	0.00	\$1,047,144	\$8,642	\$6,030	\$1,061,816

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments to provide the funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc. The rates charged for these services are approved in the section of the budget that provides the services.

DP 3 - Inflation Deflation -

The legislature adopted adjustments generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 20 - SABHRS Rate Adjustment -

The legislature adopted an increase to proposed SABHRS rates.

DP 222 - RMTD Adjustment -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package eliminates the reduction included in DP 2. This change is necessary to designate the reduction as one-time-only in the budgeting system.

DP 223 - RMTD Adjustment (OTO) -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package designates the reduction as one-time-only.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
-----Fiscal 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 101 - Funding for Expiring Grant Funded Drug Courts (RST)	5.00	0	405,746	0	405,746	8.00	0	857,335	0	857,335
DP 102 - CPC Evaluations (RST/BIEN/OTO)	0.00	0	100,000	0	100,000	0.00	0	0	0	0
DP 104 - Pretrial Program (OTO)	2.50	843,848	0	0	843,848	2.50	843,971	0	0	843,971
DP 105 - CIP Additional Federal Authority	0.00	0	0	201,634	201,634	0.00	0	0	201,634	201,634
DP 106 - Continued Family Mediation (RST/BIEN/OTO)	0.00	300,000	0	0	300,000	0.00	300,000	0	0	300,000
DP 333 - Adjustment to Inflation	0.00	(194,024)	(3,002)	(1,555)	(198,581)	0.00	(240,964)	(4,250)	(2,204)	(247,418)
DP 1400 - HB 16	0.00	0	0	70,692	70,692	0.00	0	0	67,892	67,892
DP 1401 - HB 500	0.00	184,965	(184,965)	0	0	0.00	184,965	(184,965)	0	0
DP 1402 - SB 224 (OTO)	0.00	52,000	0	0	52,000	0.00	0	0	0	0
DP 3333 - Additional Adjustment to Inflation	0.00	74,130	0	0	74,130	0.00	88,376	0	0	88,376
Total	7.50	\$1,260,919	\$317,779	\$270,771	\$1,849,469	10.50	\$1,176,348	\$668,120	\$267,322	\$2,111,790

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

DP 101 - Funding for Expiring Grant Funded Drug Courts (RST) -

The legislature adopted additional general fund authority to fund 5.00 FTE and five drug courts in FY 2024 with three additional FTE and courts in FY 2025 (for a total of eight) which are coming off federal grant funding. The drug courts to be funded include the 4th Veterans Treatment Court (Missoula County), the 4th (Missoula County), 6th (Park and Sweet Grass Counties), 12th (Hill County), 19th (Lincoln County), and the 21st (Ravalli County) Adult Drug Courts, as well as the 13th (Yellowstone County) Pre-plea and Indian Child Welfare Act (ICWA) Treatment Courts.

DP 102 - CPC Evaluations (RST/BIEN/OTO) -

The legislature adopted additional one-time-only state special revenue for the Judicial Branch to begin implementation of the University of Cincinnati Correctional Program Checklist (CPC) to evaluate the effectiveness of Montana drug courts.

DP 104 - Pretrial Program (OTO) -

The legislature adopted, as one-time-only, 2.75 FTE and additional general fund authority for the biennium for the continuation of the Pretrial Program currently being implemented in five Montana counties. This program has received funding on a one-time-only basis for the previous three biennia.

DP 105 - CIP Additional Federal Authority -

The legislature adopted additional federal authority for the biennium to facilitate the U.S. Department of Health and Human Services change from issuing three separate Court Improvement Program (CIP) grant awards to one.

DP 106 - Continued Family Mediation (RST/BIEN/OTO) -

The legislature adopted one-time-only biennial general fund authority for the branch to further expand family mediation services to other parts of the state beyond those currently provided in four urban areas of the state.

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 1400 - HB 16 -

The legislature adopted contingency language to increase appropriations if HB 16 was passed and approved, and this decision package implements this language. HB 16 relates to child abuse and neglect proceedings and increases the statutory timeframe for holding an Emergency Protective Services (EPS) hearing from 3 days (current law) to 5 days.

DP 1401 - HB 500 -

The legislature adopted contingency language to increase appropriations if HB 500 was passed and approved and this decision package implements this language. HB 500 removes language currently in 41-5-1304, MCA, and 41-5-1415, MCA, that allows Youth Courts to require a youth to pay a contribution to cover all or a portion of costs of services provided to the youth and parents through Youth Courts. This removes authority from the Youth Court Intervention and Prevention state special account and transfers \$184,965 authority to the general fund.

DP 1402 - SB 224 (OTO) -

The legislature adopted contingency language to increase appropriations if SB 224 was passed and approved and this decision package implements this language. SB 224 requires the Office of the Court Administrator (OCA) to report the name of each attorney and the name of the attorney's law firm or employer who requests a substitution of a judge and also requires the OCA to report on the number of continuances granted by each judge and who requested the continuance in family law cases and child abuse and neglect cases. Both reports require updates to the case management system.

DP 3333 - Additional Adjustment to Inflation -

The legislature adopted an additional adjustment to inflation included in DP 3.

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	859,662	912,819	53,157	6.18 %
Operating Expenses	701,856	764,933	63,077	8.99 %
Equipment & Intangible Assets	206,442	176,442	(30,000)	(14.53)%
Debt Service	3,763	0	(3,763)	(100.00)%
Total Expenditures	\$1,771,723	\$1,854,194	\$82,471	4.65 %
General Fund	1,771,723	1,854,194	82,471	4.65 %
Total Funds	\$1,771,723	\$1,854,194	\$82,471	4.65 %
Total Ongoing	\$1,771,723	\$1,854,194	\$82,471	4.65 %
Total OTO	\$0	\$0	\$0	0.00 %

Program Description

The State Law Library of Montana (22-1-501, MCA, et seq) provides access to legal information consistent with the present and anticipated needs, responsibilities, and concerns of Montana's courts, legislature, state officers and employees, members of the bar of the Supreme Court of Montana, and members of the general public. The library selects, acquires, and maintains resources consistent with this mission. More electronic licenses are acquired each year, which frequently replace hard copies. This allows the library to get the information more quickly to the customer and to conserve its available shelf space for books and other printed material. The library's space, equipment, and technology are maintained in a manner that will ensure operational efficiency, improve collection preservation, and respond to requirements for accessibility of users and staff.

Library staff provide extensive training in legal research methods and access to the Montana court system. The library's web site (www.lawlibrary.mt.gov) has been designed to help Montana's citizens find the statutes, court cases and rules, legal forms, and explanation of the laws they need. Seventy-five percent of the people the Law Library assists are nonlawyers who cannot afford attorneys. The Library also operates a court-help center.

Program Highlights

Law Library Major Budget Highlights
The legislature approved a 2025 biennium budget for the Law Library that is 4.7% or \$82,000 higher than the 2023 biennium. This includes an increase of \$62,000 general fund related to statewide present law adjustments to personal services and inflation.

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	6.75	6.75	6.75	6.75
Personal Services	342,361	419,743	439,919	455,226	457,593
Operating Expenses	331,841	334,039	367,817	382,524	382,409
Equipment & Intangible Assets	113,798	118,221	88,221	88,221	88,221
Debt Service	0	3,763	0	0	0
Total Expenditures	\$788,000	\$875,766	\$895,957	\$925,971	\$928,223
General Fund	788,000	875,766	895,957	925,971	928,223
Total Funds	\$788,000	\$875,766	\$895,957	\$925,971	\$928,223
Total Ongoing	\$788,000	\$875,766	\$895,957	\$925,971	\$928,223
Total OTO	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows proposed agency funding for all sources of authority.

Judicial Branch, 03-Law Library Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	1,854,194	0	0	1,854,194	76.70 %
State Special Total	\$0	\$0	\$0	\$0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
06019 Lexis Proprietary Account	0	563,412	0	563,412	100.00 %
Proprietary Total	\$0	\$563,412	\$0	\$563,412	23.30 %
Total All Funds	\$1,854,194	\$563,412	\$0	\$2,417,606	

HB 2 funding for the Law Library is entirely general fund. The Law Library also operates an enterprise type proprietary funded program for which the legislature does not approve rates.

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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	895,957	895,957	1,791,914	96.64 %	895,957	895,957	1,791,914	96.64 %
SWPL Adjustments	35,106	37,382	72,488	3.91 %	35,106	37,382	72,488	3.91 %
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	(5,092)	(5,116)	(10,208)	(0.55)%	(5,092)	(5,116)	(10,208)	(0.55)%
Total Budget	\$925,971	\$928,223	\$1,854,194		\$925,971	\$928,223	\$1,854,194	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds		FTE	General Fund	State Special	Total Funds
DP 1 - Personal Services	0.00	15,307	0	0	15,307	0.00	17,674	0	0	17,674
DP 3 - Inflation Deflation	0.00	19,799	0	0	19,799	0.00	19,708	0	0	19,708
Grand Total All Present Law Adjustments	0.00	\$35,106	\$0	\$0	\$35,106	0.00	\$37,382	\$0	\$0	\$37,382

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 3 - Inflation Deflation -

The legislature adopted adjustments generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
-----Fiscal 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds		FTE	General Fund	State Special	Total Funds
DP 333 - Adjustment to Inflation	0.00	(5,092)	0	0	(5,092)	0.00	(5,116)	0	0	(5,116)
Total	0.00	(\$5,092)	\$0	\$0	(\$5,092)	0.00	(\$5,116)	\$0	\$0	(\$5,116)

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

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	55,433,743	61,821,138	6,387,395	11.52 %
Operating Expenses	5,663,807	5,921,147	257,340	4.54 %
Equipment & Intangible Assets	82,446	155,446	73,000	88.54 %
Benefits & Claims	70,000	70,000	0	0.00 %
Debt Service	714	0	(714)	(100.00)%
Total Expenditures	\$61,250,710	\$67,967,731	\$6,717,021	10.97 %
General Fund	59,748,020	66,459,217	6,711,197	11.23 %
State/Other Special Rev. Funds	1,502,690	1,508,514	5,824	0.39 %
Total Funds	\$61,250,710	\$67,967,731	\$6,717,021	10.97 %
Total Ongoing	\$61,250,710	\$67,967,731	\$6,717,021	10.97 %
Total OTO	\$0	\$0	\$0	0.00 %

Program Description

The District Courts have original jurisdiction in all felony criminal cases, most civil matters, and other cases in law, and in equity. These courts may issue all writs appropriate to their jurisdiction and hear appeals from Courts of Limited Jurisdiction pursuant to statutory parameters. The District Courts are also the state's Youth Courts, responsible for managing juvenile probation functions. There are 51 District Court judges in 22 judicial districts serving all 56 counties. The 2001 Legislature mandated state funding of District Court expenses, including salaries and operating expenses for judges and their employees. District Court costs are the largest segment of the Judicial Branch budget.

Program Highlights

District Court Operations Major Budget Highlights
<p>The legislature approved a 2025 biennium budget for District Court Operations that is 11.0% or \$6.7 million higher than the 2023 biennium budget. Changes include:</p> <ul style="list-style-type: none"> • \$5.7 million for statewide present law adjustments to personal services, fixed costs, and inflation with \$5.4 million accounting for adjustments in personal services • A reduction of \$420,000 in general fund for the removal of 3.80 FTE that had been vacant for period of two years or longer

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	335.19	335.19	331.39	331.39
Personal Services	25,660,179	27,028,414	28,405,329	30,858,872	30,962,266
Operating Expenses	2,634,180	2,846,726	2,817,081	2,945,137	2,976,010
Equipment & Intangible Assets	0	4,723	77,723	77,723	77,723
Benefits & Claims	12,742	35,000	35,000	35,000	35,000
Debt Service	0	714	0	0	0
Total Expenditures	\$28,307,101	\$29,915,577	\$31,335,133	\$33,916,732	\$34,050,999
General Fund	27,672,792	29,164,326	30,583,694	33,162,769	33,296,448
State/Other Special Rev. Funds	634,309	751,251	751,439	753,963	754,551
Total Funds	\$28,307,101	\$29,915,577	\$31,335,133	\$33,916,732	\$34,050,999
Total Ongoing	\$28,307,101	\$29,915,577	\$31,335,133	\$33,916,732	\$34,050,999
Total OTO	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows proposed agency funding for all sources of authority.

Judicial Branch, 04-District Court Operations Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	66,459,217	0	0	66,459,217	97.78 %
02141 Fines & Fees Fund	180,417	0	0	180,417	11.96 %
02562 Crt Appointed Special Advocate	1,328,097	0	0	1,328,097	88.04 %
State Special Total	\$1,508,514	\$0	\$0	\$1,508,514	2.22 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$67,967,731	\$0	\$0	\$67,967,731	

The majority of funding for District Court Operations comes from the general fund. Additional state special revenue is used to support the program and comes from court-imposed fines and fees.

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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	30,583,694	30,583,694	61,167,388	92.04 %	31,335,133	31,335,133	62,670,266	92.21 %
SWPL Adjustments	2,831,609	2,976,160	5,807,769	8.74 %	2,834,962	2,980,300	5,815,262	8.56 %
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	(252,534)	(263,406)	(515,940)	(0.78)%	(253,363)	(264,434)	(517,797)	(0.76)%
Total Budget	\$33,162,769	\$33,296,448	\$66,459,217		\$33,916,732	\$34,050,999	\$67,967,731	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----					-----Fiscal 2025-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	2,663,746	0	0	2,663,746	0.00	2,767,754	0	0	2,767,754
DP 2 - Fixed Costs	0.00	0	65	0	65	0.00	0	65	0	65
DP 3 - Inflation Deflation	0.00	167,863	3,288	0	171,151	0.00	208,406	4,075	0	212,481
Grand Total All Present Law Adjustments	0.00	\$2,831,609	\$3,353	\$0	\$2,834,962	0.00	\$2,976,160	\$4,140	\$0	\$2,980,300

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments to provide the funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc. The rates charged for these services are approved in the section of the budget that provides the services.

DP 3 - Inflation Deflation -

The legislature adopted adjustments generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
	-----Fiscal 2024-----					-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 333 - Adjustment to Inflation	0.00	(42,331)	(829)	0	(43,160)	0.00	(52,589)	(1,028)	0	(53,617)
DP 999 - Removal of Long-Term Vacant Positions	(3.80)	(210,203)	0	0	(210,203)	(3.80)	(210,817)	0	0	(210,817)
Total	(3.80)	(\$252,534)	(\$829)	\$0	(\$253,363)	(3.80)	(\$263,406)	(\$1,028)	\$0	(\$264,434)

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

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 999 - Removal of Long-Term Vacant Positions -

The legislature adopted the removal of long-term vacant FTE. Four positions totaling 3.80 FTE were removed.

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	4,197,357	4,523,030	325,673	7.76 %
Operating Expenses	386,254	603,919	217,665	56.35 %
Equipment & Intangible Assets	16,574	16,574	0	0.00 %
Debt Service	207,600	0	(207,600)	(100.00)%
Total Expenditures	\$4,807,785	\$5,143,523	\$335,738	6.98 %
General Fund	1,880,406	2,092,004	211,598	11.25 %
State/Other Special Rev. Funds	2,927,379	3,051,519	124,140	4.24 %
Total Funds	\$4,807,785	\$5,143,523	\$335,738	6.98 %
Total Ongoing	\$4,807,785	\$5,143,523	\$335,738	6.98 %
Total OTO	\$0	\$0	\$0	0.00 %

Program Description

The Water Courts Supervision Program, located in Bozeman, adjudicates claims of existing water rights in Montana pursuant to Title 3, Chapter 7 and Title 85, Chapter 2, MCA .

Program Highlights

Water Court Major Budget Highlights
The legislature approved a 2025 biennium budget for the Water Court that is 7.0% or \$336,000 higher than the 2023 biennium budget. Increases in the budget are all included as statewide present law adjustments to personal services, fixed costs, and inflation. These increases are partially offset by the reduction of 0.75 FTE that had been vacant for a period of two years or longer.

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	24.50	24.50	23.75	23.75
Personal Services	1,950,842	2,076,740	2,120,617	2,254,602	2,268,428
Operating Expenses	85,402	89,327	296,927	301,803	302,116
Equipment & Intangible Assets	0	8,287	8,287	8,287	8,287
Debt Service	207,600	207,600	0	0	0
Total Expenditures	\$2,243,844	\$2,381,954	\$2,425,831	\$2,564,692	\$2,578,831
General Fund	799,319	925,108	955,298	1,042,457	1,049,547
State/Other Special Rev. Funds	1,444,525	1,456,846	1,470,533	1,522,235	1,529,284
Total Funds	\$2,243,844	\$2,381,954	\$2,425,831	\$2,564,692	\$2,578,831
Total Ongoing	\$2,243,844	\$2,381,954	\$2,425,831	\$2,564,692	\$2,578,831
Total OTO	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows proposed agency funding for all sources of authority.

Judicial Branch, 05-Water Court Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	2,092,004	0	0	2,092,004	40.67 %	
02431 Water Adjudication	3,051,519	0	0	3,051,519	100.00 %	
State Special Total	\$3,051,519	\$0	\$0	\$3,051,519	59.33 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$5,143,523	\$0	\$0	\$5,143,523		

General fund provides a little over a third of the funding for Water Court Supervision. The remaining funding is from the water adjudication account established within the state special revenue account created in 17-2-102, MCA. If amounts appropriated by the legislature to fund the Water Court Program exceed the available and unencumbered fund balance within the water adjudication account, statute requires that general fund be transferred into the account at the beginning of each fiscal in order to fully fund legislative appropriations to the 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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	955,298	955,298	1,910,596	91.33 %	2,425,831	2,425,831	4,851,662	94.33 %
SWPL Adjustments	87,159	94,249	181,408	8.67 %	210,950	225,673	436,623	8.49 %
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	0	0	0	0.00 %	(72,089)	(72,673)	(144,762)	(2.81)%
Total Budget	\$1,042,457	\$1,049,547	\$2,092,004		\$2,564,692	\$2,578,831	\$5,143,523	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	87,159	116,859	0	204,018	0.00	94,249	123,816	0	218,065
DP 2 - Fixed Costs	0.00	0	1,043	0	1,043	0.00	0	1,043	0	1,043
DP 3 - Inflation Deflation	0.00	0	5,889	0	5,889	0.00	0	6,565	0	6,565
Grand Total All Present Law Adjustments	0.00	\$87,159	\$123,791	\$0	\$210,950	0.00	\$94,249	\$131,424	\$0	\$225,673

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments to provide the funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc. The rates charged for these services are approved in the section of the budget that provides the services.

DP 3 - Inflation Deflation -

The legislature adopted adjustments generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
-----Fiscal 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 333 - Adjustment to Inflation	0.00	0	(2,056)	0	(2,056)	0.00	0	(2,419)	0	(2,419)
DP 999 - Removal of Long-Term Vacant Positions	(0.75)	0	(70,033)	0	(70,033)	(0.75)	0	(70,254)	0	(70,254)
Total	(0.75)	\$0	(\$72,089)	\$0	(\$72,089)	(0.75)	\$0	(\$72,673)	\$0	(\$72,673)

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

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 999 - Removal of Long-Term Vacant Positions -

The legislature adopted the removal of long-term vacant FTE. One position (0.75 FTE) was removed.

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	1,073,949	1,141,211	67,262	6.26 %
Operating Expenses	85,692	89,198	3,506	4.09 %
Debt Service	1,454	0	(1,454)	(100.00)%
Total Expenditures	\$1,161,095	\$1,230,409	\$69,314	5.97 %
General Fund	1,161,095	1,230,409	69,314	5.97 %
Total Funds	\$1,161,095	\$1,230,409	\$69,314	5.97 %
Total Ongoing	\$1,161,095	\$1,230,409	\$69,314	5.97 %
Total OTO	\$0	\$0	\$0	0.00 %

Program Description

The Office of Clerk of the Supreme Court Program, pursuant to Title 3, Chapter 2, part 4, conducts the business of the court, and serves as the liaison between the public, attorneys, and the Supreme Court. By statutory authority, the clerk controls the docket and filings, manages the appellate process, and is the custodian of all legal records for the public and the court. Additionally, the clerk administers appellate mediation, maintains the official roll of Montana attorneys, and is responsible for licensing Montana's attorneys.

Program Highlights

Clerk of Court Major Budget Highlights
<p>The legislature approved a 2025 biennium budget for the Clerk of Court that is 6.0% or \$69,000 higher than the 2023 biennium. This change includes:</p> <ul style="list-style-type: none"> • \$50,000 in statewide present law adjustments to personal services and inflation • A net decrease of \$1,400 for an additional 0.50 FTE appellate case manager to aid in document digitization offset by the removal of a 0.50 FTE position that had been vacant for a period of more than two years

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	5.50	5.50	5.50	5.50
Personal Services	495,505	526,453	547,496	569,114	572,097
Operating Expenses	32,389	42,114	43,578	44,562	44,636
Debt Service	0	1,454	0	0	0
Total Expenditures	\$527,894	\$570,021	\$591,074	\$613,676	\$616,733
General Fund	527,894	570,021	591,074	613,676	616,733
Total Funds	\$527,894	\$570,021	\$591,074	\$613,676	\$616,733
Total Ongoing	\$527,894	\$570,021	\$591,074	\$613,676	\$616,733
Total OTO	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows proposed agency funding for all sources of authority.

Judicial Branch, 06-Clerk of Court Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	1,230,409	0	0	1,230,409	100.00 %
State Special Total	\$0	\$0	\$0	\$0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$1,230,409	\$0	\$0	\$1,230,409	

The Clerk of Court Program is funded entirely 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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	591,074	591,074	1,182,148	96.08 %	591,074	591,074	1,182,148	96.08 %
SWPL Adjustments	23,794	27,023	50,817	4.13 %	23,794	27,023	50,817	4.13 %
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	(1,192)	(1,364)	(2,556)	(0.21)%	(1,192)	(1,364)	(2,556)	(0.21)%
Total Budget	\$613,676	\$616,733	\$1,230,409		\$613,676	\$616,733	\$1,230,409	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	22,286	0	0	22,286	0.00	25,350	0	0	25,350
DP 3 - Inflation Deflation	0.00	1,508	0	0	1,508	0.00	1,673	0	0	1,673
Grand Total All Present Law Adjustments	0.00	\$23,794	\$0	\$0	\$23,794	0.00	\$27,023	\$0	\$0	\$27,023

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 3 - Inflation Deflation -

The legislature adopted adjustments generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
-----Fiscal 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 333 - Adjustment to Inflation	0.00	(524)	0	0	(524)	0.00	(615)	0	0	(615)
DP 601 - Appellate Case Manager FTE	0.50	38,921	0	0	38,921	0.50	38,943	0	0	38,943
DP 999 - Removal of Long-Term Vacant Positions	(0.50)	(39,589)	0	0	(39,589)	(0.50)	(39,692)	0	0	(39,692)
Total	0.00	(\$1,192)	\$0	\$0	(\$1,192)	0.00	(\$1,364)	\$0	\$0	(\$1,364)

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

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 601 - Appellate Case Manager FTE -

The legislature adopted a 0.50 FTE case manager to increase the pace at which documents are digitized in the Office of the Clerk of Supreme Court.

DP 999 - Removal of Long-Term Vacant Positions -

The legislature adopted the removal of long-term vacant FTE. One position (0.50 FTE) was removed.

Agency Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Agency Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	142,282,965	153,141,011	10,858,046	7.63 %
Operating Expenses	76,119,439	96,386,947	20,267,508	26.63 %
Equipment & Intangible Assets	8,375,135	11,757,468	3,382,333	40.39 %
Local Assistance	50,002	50,002	0	0.00 %
Grants	20,191,667	25,482,638	5,290,971	26.20 %
Benefits & Claims	1,547,229	1,546,362	(867)	(0.06)%
Transfers	6,518,357	6,282,272	(236,085)	(3.62)%
Debt Service	6,038,487	3,605,022	(2,433,465)	(40.30)%
Total Expenditures	\$261,123,281	\$298,251,722	\$37,128,441	14.22 %
General Fund	73,203,976	100,086,953	26,882,977	36.72 %
State/Other Special Rev. Funds	154,329,109	163,651,529	9,322,420	6.04 %
Federal Spec. Rev. Funds	29,698,263	30,497,769	799,506	2.69 %
Proprietary Funds	3,891,933	4,015,471	123,538	3.17 %
Total Funds	\$261,123,281	\$298,251,722	\$37,128,441	14.22 %
Total Ongoing	\$260,998,281	\$289,781,361	\$28,783,080	11.03 %
Total OTO	\$125,000	\$8,470,361	\$8,345,361	6,676.29 %

Agency Description

The Department of Justice, under the direction of the Attorney General, is responsible for statewide legal services and counsel, law enforcement and public safety. The duties of the department are as follows:

- Provide legal representation for the state and its political subdivisions in criminal appeals
- Provide legal services and counsel for the state, county and municipal agencies, and their officials
- Enforce Montana traffic laws and register all motor vehicles
- Enforce state fire safety codes and regulations
- Assist local law enforcement agencies in bringing offenders to justice
- Manage a statewide system of death investigations and provide scientific analyses of specimens submitted by law enforcement officials, coroners, and state agencies
- Maintain and disseminate criminal justice information to authorized state, local, and other entities
- Provide uniform regulation of all gambling activities in the state of Montana
- Enforce consumer protection laws and regulations relating to unfair and deceptive business practices, and assist Montana consumers in making sound decisions by providing public outreach
- Provide statewide leadership on issues related to victims of crime and administer the crime victim compensation program for the benefit of innocent victims

Agency Highlights

**Department of Justice
Major Budget Highlights**

The 2025 biennium budget adopted by the legislature for the Department of Justice is 14.2% or \$37.1 million greater than the 2023 biennium. Significant biennial changes include:

- \$7.0 million in statewide present law adjustments to personal services, fixed costs, and inflation
- \$5.7 million for a net increase of 20.00 FTE that includes:
 - Two civil attorneys, one appellate attorney, and two prosecutors with one specifically directed to the exploitation of the elderly
 - Seven maintenance workers at the Boulder campus to replace existing modified employees
 - Nine investigators and agents to focus on human trafficking, major cases including officer involved shootings, and narcotic agents
 - A sexual assault nurse examiner
 - Two 0.50 FTE positions within the Montana Board of Crime Control
 - Increases in FTE are offset by the reduction of 3.00 FTE that had been vacant for a period of two years or longer
- \$5.1 million state special revenue for the maintenance costs of the Montana Enhanced Registration Licensing Network (MERLIN) replacement system
- \$4.0 million in one-time-only general fund for state support of victims' services
- \$2.9 million for a 6.1% increase in salary for highway patrol officers
- \$2.0 million in restricted one-time-only funding for major litigation
- \$2.0 million in one-time-only funding to replace outdated servers
- \$1.4 million for Montana Highway Patrol in-car and body cameras
- \$1.0 million restricted one-time-only funding for a Natural Resources Damage Program Contingency program

Agency Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Agency Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	825.65	825.65	845.65	845.65
Personal Services	70,920,934	69,153,344	73,129,621	76,367,954	76,773,057
Operating Expenses	34,351,042	38,222,413	37,897,026	48,189,068	48,197,879
Equipment & Intangible Assets	3,866,662	4,163,901	4,211,234	7,046,234	4,711,234
Local Assistance	24,110	25,001	25,001	25,001	25,001
Grants	8,617,702	9,951,272	10,240,395	12,367,400	13,115,238
Benefits & Claims	198,786	774,048	773,181	773,181	773,181
Transfers	1,166,804	3,377,221	3,141,136	3,141,136	3,141,136
Debt Service	4,193,967	4,235,976	1,802,511	1,802,511	1,802,511
Total Expenditures	\$123,340,007	\$129,903,176	\$131,220,105	\$149,712,485	\$148,539,237
General Fund	33,532,840	33,911,518	39,292,458	51,145,305	48,941,648
State/Other Special Rev. Funds	77,723,084	79,206,434	75,122,675	81,613,020	82,038,509
Federal Spec. Rev. Funds	10,193,385	14,844,282	14,853,981	14,949,598	15,548,171
Proprietary Funds	1,890,698	1,940,942	1,950,991	2,004,562	2,010,909
Total Funds	\$123,340,007	\$129,903,176	\$131,220,105	\$149,712,485	\$148,539,237
Total Ongoing	\$123,277,507	\$129,840,676	\$131,157,605	\$144,430,644	\$145,350,717
Total OTO	\$62,500	\$62,500	\$62,500	\$5,281,841	\$3,188,520

Summary of Legislative Action

The 2025 biennium budget for the Department of Justice is an increase of 13.7% or \$36.0 million when compared to the FY 2023 base budget appropriation. Many initiatives adopted by the legislature include new FTE:

- The legislature adopted 20.00 new FTE, a 2.4% increase, across multiple different divisions totaling \$5.7 million. The locations and purposes of these FTE are as follows:
 - The Montana Highway Patrol received seven maintenance workers at the Boulder Campus to replace existing modified employees
 - The Legal Services Division received two civil attorneys, one appellate attorney, one prosecutor for cases involving officer shootings, and one prosecutor directed to the exploitation of the elderly
 - The Division of Criminal Investigation received one sexual assault nurse examiner for the purposes of HB 79 and nine total investigator and agent positions to focus on human trafficking, major cases including officer involved shootings, and narcotics
 - The Board of Crime Control received two 0.50 FTE positions including one grant coordinator and one budget analyst
- The legislature also removed FTE from section D agencies that had been vacant for a period of two years or longer. The Gambling Control Division saw 3.00 FTE removed as a result

Additional equipment and IT related items were funded by the legislature in the amount of nearly \$10.1 million. More specifically:

- \$5.1 million in annual maintenance costs for the new CARS system designed to replace the MERLIN system
- \$2.1 million to replace outdated servers and expand firewall security
- \$2.9 million in general equipment upgrades including a new taser subscription for highway patrol officers, new in-car video systems for patrol cars, new patrol vehicles, and instrument maintenance

In addition to new FTE and equipment/IT projects, the legislature approved \$4.0 million in one-time-only general fund for increased state support to victims of crime to help offset decreasing federal funding. Pay increases of approximately 6.1% for highway patrol officers were approved totaling \$2.9 million. Lastly, \$2.0 million was approved by the legislature for major litigation and constitutional challenges particularly related to legislation passed by the 2021 Legislature.

Funding

The following table shows adopted agency funding for all sources of authority.

Total Department of Justice Funding by Source of Authority 2025 Biennium Budget Request - Department of Justice						
Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	90,922,685	9,164,268	0	12,243,336	112,330,289	32.56 %
State Special Total	164,312,112	(660,583)	0	30,717,492	194,369,021	56.34 %
Federal Special Total	30,497,769	0	0	250,000	30,747,769	8.91 %
Proprietary Total	4,048,795	(33,324)	3,544,345	0	7,559,816	2.19 %
Other Total	0	0	0	0	0	0.00 %
Total All Funds	\$289,781,361	\$8,470,361	\$3,544,345	\$43,210,828	\$345,006,895	
Percent - Total All Sources	83.99 %	2.46 %	1.03 %	12.52 %		

In HB 2, general fund supports all divisions at varying levels except for the Gambling Control Division. The 2025 biennium adopted budget is primarily funded with state special revenue. State special revenue from the consumer protection settlement proceeds support consumer protection activities, gambling license fees support the Gambling Control Division, and motor vehicle fees support the Motor Vehicle Division. The Montana Highway Patrol (MHP) HB 2 budget accounts for most of the agency state special revenue. The Montana Board of Crime Control (MBCC) is primarily funded through federal special revenue, and this funding accounts for nearly all the HB 2 federal funding for the agency.

General fund statutory appropriations support the MHP retirement contributions and the state contribution to county attorney salaries. State special revenue statutory appropriations are principally used for grants and distributions for the 9-1-1 system. Statutory appropriations funded with federal special revenues support state and local law enforcement programs.

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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	39,229,958	39,229,958	78,459,916	78.39 %	131,157,605	131,157,605	262,315,210	87.95 %
SWPL Adjustments	2,909,482	3,071,234	5,980,716	5.98 %	3,683,086	4,258,228	7,941,314	2.66 %
PL Adjustments	1,054,230	1,053,338	2,107,568	2.11 %	3,710,011	3,707,890	7,417,901	2.49 %
New Proposals	7,951,635	5,587,118	13,538,753	13.53 %	11,161,783	9,415,514	20,577,297	6.90 %
Total Budget	\$51,145,305	\$48,941,648	\$100,086,953		\$149,712,485	\$148,539,237	\$298,251,722	

Other Legislation

HB 3 - This bill appropriates \$5,740,779 in supplemental general fund to the Department of Justice for FY 2023. This appropriation was provided to cover the following items:

- \$2.9 million to cover costs associated with the Boulder campus in which the MHP was required to take on costs but appropriations were not provided
- \$2.8 million in litigation funding for constitutional challenges

HB 5 - This bill appropriates money for capital development and major repair projects for the 2025 biennium. HB 5 appropriates just over \$3.0 million to the Department of Justice to repair or replace existing structural components at the MHP Boulder campus including the boiler system, roof, and general dorm renovations.

HB 10 - This bill revises laws related to financing state IT and appropriates money for information technology capital projects. The Department of Justice is appropriated \$45,215,000 for the CARS system designed to replace MERLIN. This bill also outlines requirements that the Department of Justice shall develop and submit a plan to the judicial branch, law enforcement, and justice interim budget committee and the long-range planning budget committee outlining implementation timelines, milestones, and a detailed project budget.

HB 362 - This bill revises laws around Crisis Intervention Team (CIT) training and requires that the program have a statewide project coordinator. The Board of Crime Control is appropriated \$600,000 from the marijuana state special revenue account in 16-12-111, MCA.

HB 697 - This bill provides reporting requirements, changes the status of the Public Safety Officer Standards and Training (POST) Council from a division within the department to an administratively attached body, and requires an interim study around the staffing, structure, and duties of the POST. This bill clarifies that funding for the POST Council come from the Montana Law Enforcement Academy (MLEA) state special revenue account.

HB 904 - This bill provides free entry-level training for commercial driver's licenses that complies with federal requirements. This bill appropriates \$20,000 to the Department of Justice to implement commercial driver's license rulemaking and record checks.

SB 229 - This bill increases annual reimbursement of witness expenses based on actual costs and moves the responsibility of covering these expenses from the counties to the Department of Justice. An appropriation of \$150,000 each fiscal year of the 2025 biennium is provided to the department for this purpose.

SB 294 - This bill establishes an "End of Watch" trust fund for law enforcement officers and their families if the officer is killed or catastrophically injured in the line of duty and creates a state special revenue account to receive transfers of interest earned by the trust to provide a monthly income loss payment for up to five years to qualified recipients. There is appropriated \$800,000 to the department for the 2025 biennium to issue payments, and this appropriation is considered part of the base budget beginning in the 2027 biennium.

Executive Budget Comparison

The following table compares the legislative budget for the biennium to the budget requested by the Governor by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Approp. Fiscal 2023	Executive Budget Fiscal 2024	Legislative Budget Fiscal 2024	Leg — Exec. Difference Fiscal 2024	Executive Budget Fiscal 2025	Legislative Budget Fiscal 2025	Leg — Exec. Difference Fiscal 2025	Biennium Difference Fiscal 24-25
FTE	825.65	864.15	845.65	(18.50)	864.15	845.65	(18.50)	(18.50)
Personal Services	73,129,621	78,492,814	76,367,954	(2,124,860)	78,904,485	76,773,057	(2,131,428)	(4,256,288)
Operating Expenses	37,897,026	48,561,667	48,189,068	(372,599)	48,460,369	48,197,879	(262,490)	(635,089)
Equipment & Intangible Assets	4,211,234	7,468,294	7,046,234	(422,060)	4,711,234	4,711,234	0	(422,060)
Local Assistance	25,001	25,001	25,001	0	25,001	25,001	0	0
Grants	10,240,395	10,309,895	12,367,400	2,057,505	11,051,980	13,115,238	2,063,258	4,120,763
Benefits & Claims	773,181	773,181	773,181	0	773,181	773,181	0	0
Transfers	3,141,136	3,141,136	3,141,136	0	3,141,136	3,141,136	0	0
Debt Service	1,802,511	1,802,511	1,802,511	0	1,802,511	1,802,511	0	0
Total Costs	\$131,220,105	\$150,574,499	\$149,712,485	(\$862,014)	\$148,869,897	\$148,539,237	(\$330,660)	(\$1,192,674)
General Fund	39,292,458	49,113,100	51,145,305	2,032,205	47,270,552	48,941,648	1,671,096	3,703,301
State/other Special Rev. Funds	75,122,675	84,486,433	81,613,020	(2,873,413)	84,017,848	82,038,509	(1,979,339)	(4,852,752)
Federal Spec. Rev. Funds	14,853,981	14,956,037	14,949,598	(6,439)	15,555,686	15,548,171	(7,515)	(13,954)
Other	1,950,991	2,018,929	2,004,562	(14,367)	2,025,811	2,010,909	(14,902)	(29,269)
Total Funds	\$131,220,105	\$150,574,499	\$149,712,485	(\$862,014)	\$148,869,897	\$148,539,237	(\$330,660)	(\$1,192,674)
Total Ongoing	\$131,157,605	\$147,734,499	\$144,430,644	(\$3,303,855)	\$148,119,897	\$145,350,717	(\$2,769,180)	(\$6,073,035)
Total OTO	\$62,500	\$2,840,000	\$5,281,841	\$2,441,841	\$750,000	\$3,188,520	\$2,438,520	\$4,880,361

The 2025 biennium budget adopted by the legislature for the department of Justice is \$1.1 million lower than the budget request submitted by the executive. Ongoing appropriations were adopted at \$6.0 million below the level requested by the executive while one-time-only appropriations were adopted at \$4.9 million higher than the executive's request. Differences include:

- (\$4.6 million) – The legislature adopted funding for 23.00 of the 38.50 new FTE requested by the executive and revised the funding from state special revenue to general fund
 - The executive requested 7 attorneys, 7 maintenance workers, 5 highway patrol officers, 15 crime investigators, 3 trainers, 1 information technology system analyst, and 0.5 grant coordinator
 - The legislature funded 5 attorneys, 7 maintenance workers, 10 crime investigators, a 0.5 data analyst and a 0.5 grant coordinator
- (\$947,000) – The legislature adopted a reduction of the statewide adjustment for inflation
- (\$895,000) – The legislature adopted an additional 1.0% vacancy savings
- (\$500,000) – The legislature adopted a reduction from the request for the Natural Resource Damages Program
- (\$434,000) – The legislature adopted the removal of three vacant FTE from the Gambling Control Division
- (\$240,000) – The legislature did not adopt overtime pay for the Division of Criminal Investigation
- \$0 - The legislature changed \$5.7 million in funding from state special revenue to general fund for the funding of new FTE
- \$0 – The legislature changed \$5.1 million in funding from general fund to state special revenue to support maintenance costs associated with the new CARS system
- \$18,000 – The legislature adopted an increase for the costs of the state accounting, budgeting, and human resources system (SABHRS) budget
- \$195,000 – The legislature adopted funding to create a Sexual Assault Nurse Examiner Program in the Division of Criminal Investigation and added one FTE to manage the program
- \$326,000 – The legislature adopted funding to provide tasers for 242 troopers in the Montana Highway Patrol on a subscription-based service
- \$560,000 – The legislature adopted an increase in funding for the costs of training supplies and other costs at the Montana Law Enforcement Academy
- \$4.0 million – The legislature adopted general fund support of victims' services

Language and Statutory Authority

The legislature adopted the following language in HB 2:

"All pass-through grant authority in the Board of Crime Control is biennial."

"All remaining pass-through grant appropriations for the Board of Crime Control, up to \$100,000 in general fund money, \$180,000 in state special revenue, and \$7.0 million in federal funds, including reversions, for the 2023 biennium are authorized to continue and are appropriated in FY 2024 and FY 2025."

"The Legal Services Division, Montana Highway Patrol, Justice Information Technology Services Division, Division of Criminal Investigation, Gambling Control Division, Forensic Science Division, Motor Vehicle Division, and Central Services Division include a one-time-only reduction in FY 2024 and FY 2025 for a suspension of insurance premium payments to the Risk Management and Tort Defense Division's proprietary fund."

"The funding for the new position of the State Attorney's Office Prosecution Enhancement is restricted to ensure that the Department of Justice meets its statutory responsibilities under 41-3-210 and to prosecute child sexual abuse cases."

"The DCI Enhancements to Combat Crime provides two new positions. One must be a computer crime investigator and one an elder justice criminal investigator."

"If HB 697 is passed and approved with a condition that makes the Montana Public Safety Officer Standards and Training Council an administratively attached entity in the Department of Justice, then the following must occur: the Division of Criminal Investigation is reduced by \$135,266 general fund and \$459,497 state special funds in FY 2024 and \$135,266 general fund and \$460,881 state special funds in FY 2025; the Department of Justice shall reduce full-time equivalent positions authorized in HB 2 by 3.00 FTE; there is appropriated to the Department of Justice to the credit of the Montana Public Safety Officer Standards and Training Council \$594,763 in FY 2024 and \$596,147 in FY 2025 from the Department of Justice account established in 44-10-204; and the Montana Public Safety Officer Standards and Training Council may increase full-time equivalent positions authorized in HB 2 by 3.00 FTE."

"In each year of the 2025 biennium, the FAST Annual Maintenance Costs must be funded with \$1.55 million from the Motor Vehicle Division Administration account provided in 61-3-112 and \$1.0 million from the Motor Vehicle Information Technology System account provided in 61-3-550."

"The Division of Criminal Investigation includes an increase in general fund of \$159,512 in FY 2024 and \$180,866 in FY 2025, an increase in state special revenue of \$275,511 in FY 2024 and \$315,752 in FY 2025, an increase in federal special revenue of \$5,075 in FY 2024 and \$6,066 in FY 2025, and an increase in proprietary funding of \$1,919 in FY 2024 and \$2,361 in FY 2025. The increase was provided to offset inflationary impacts. The Department of Justice may allocate this increase in funding among programs when developing 2025 biennium operating plans."

Additionally, the legislature adopted the following HB 2 language, contingent on the passage and approval of other bills, and the adjustments to HB 2 appropriations are included as decision packages and incorporated in the tables in the fiscal report:

"If HB 60 is passed and approved, the Department of Justice is increased by \$3,718 general fund in FY 2024."

"If HB 174 is passed and approved, the Department of Justice is increased by \$226,155 general fund in FY 2024 and \$226,155 general fund in FY 2025."

"If HB 314 is passed and approved, the Department of Justice is increased by \$100 general fund, \$11,900 state special revenue, and \$2,000 federal special revenue in FY 2024 and \$100 general fund, \$11,900 state special revenue, and \$2,000 federal special revenue in FY 2025."

"If HB 402 is passed and approved, the Department of Justice is increased by \$75,000 general fund in FY 2024."

"If HB 457 is passed and approved, the Department of Justice is increased by \$90,000 general fund in FY 2024 and \$90,000 general fund in FY 2025."

"If HB 580 is passed and approved, the Department of Justice is increased by \$4,702 general fund and \$8,400 state special revenue in FY 2024 and \$4,702 general fund and \$8,400 state special revenue in FY 2025."

"If SB 11 is passed and approved, the Montana Board of Crime Control is increased by \$76,646 general fund in FY 2024 and \$63,846 general fund in FY 2025, and the Montana Board of Crime Control may increase full-time equivalent positions by 0.50 FTE in FY 2024 and 0.50 FTE in FY 2025."

"If SB 13 is passed and approved, the Department of Justice is increased by \$36,000 state special revenue in FY 2024 and \$36,000 state special revenue in FY 2025."

"If SB 160 is passed and approved, the Department of Justice is increased by \$3,000,000 general fund in FY 2024 and \$3,000,000 general fund in FY 2025, and the Department of Justice may increase full-time equivalent positions authorized in HB 2 by 1.00 FTE in FY 2024 and 1.00 FTE in FY 2025."

"If SB 250 is passed and approved, the Department of Justice is increased by \$112,708 general fund in FY 2024 and \$57,412 general fund in FY 2025."

"If SB 522 is passed and approved, the Department of Justice is increased by \$75,505 state special revenue in FY 2024 and \$81,258 state special revenue in FY 2025."

"If SB 538 is passed and approved, the Department of Justice is increased by \$22,200 state special revenue in FY 2024 and \$22,200 state special revenue in FY 2025."

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	12,689,079	13,908,331	1,219,252	9.61 %
Operating Expenses	3,790,603	8,137,366	4,346,763	114.67 %
Equipment & Intangible Assets	305,125	0	(305,125)	(100.00)%
Benefits & Claims	114,467	0	(114,467)	(100.00)%
Transfers	12,750	18,000	5,250	41.18 %
Debt Service	107,776	14,024	(93,752)	(86.99)%
Total Expenditures	\$17,019,800	\$22,077,721	\$5,057,921	29.72 %
General Fund	14,435,326	19,668,524	5,233,198	36.25 %
State/Other Special Rev. Funds	2,024,951	1,964,621	(60,330)	(2.98)%
Federal Spec. Rev. Funds	559,523	444,576	(114,947)	(20.54)%
Total Funds	\$17,019,800	\$22,077,721	\$5,057,921	29.72 %
Total Ongoing	\$17,019,800	\$18,900,342	\$1,880,542	11.05 %
Total OTO	\$0	\$3,177,379	\$3,177,379	100.00 %

Program Description

The State Attorney's Office (LSD) provides:

- o Legal research and analysis for the Attorney General
- o Legal counsel for state government officials, bureaus, and boards
- o Legal assistance to local governments and Indian tribes
- o Legal assistance, training, and support for county prosecutors
- o Assistance to victims of crime, including compensation payments

The Prosecution Services Bureau assists local county attorneys by providing training and assisting in the prosecution of complex criminal cases, particularly homicide cases. The bureau prosecutes cases where the county attorney has a conflict of interest, as well as drug-related, workers' compensation, and Medicaid fraud cases. The bureau also investigates complaints against county attorneys.

The Appellate Services Bureau handles appeals of criminal matters, including death penalty cases, and represents the state in federal court when constitutional challenges are made to a criminal conviction.

The Civil Services Bureau defends the state in constitutional challenges and coordinates appeals of civil cases that involve the state. This bureau also provides legal assistance to state and local governments on matters involving Indian jurisdiction and federal reserved water rights.

The Child Protection Unit handles child abuse and neglect cases around Montana. The unit has offices in Bozeman, Billings, Great Falls, and Miles City and focuses on resolving the legal status of children who have been in foster care for more than 15 out of the most recent 22 months.

The Office of Consumer Protection (OCP) responds to consumer complaints and enforces Montana's consumer protection laws and regulations relating to unfair and deceptive business practices.

Program Highlights

Legal Services Division Major Budget Highlights	
<p>The 2025 biennium budget adopted by the legislature for the Legal Services Division is 29.7% or nearly \$5.1 million greater than the 2023 biennium. Significant biennial changes include:</p> <ul style="list-style-type: none"> • \$2.0 million general fund for major litigation primarily associated with constitutional challenges • \$1.5 million one-time-only funding for the Natural Resources Damage Program Contingency • \$1.2 million for 5.00 FTE lawyer positions including <ul style="list-style-type: none"> ◦ 2.00 FTE to address constitutional challenges ◦ 1.00 FTE to address exploitation of the elderly ◦ 1.00 FTE for appellate functions ◦ 1.00 FTE related to homicides and officer-involved shootings • \$1.0 million in statewide present law adjustments to personal services, fixed costs, and inflation 	

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	56.00	56.00	61.00	61.00
Personal Services	5,911,545	6,168,838	6,520,241	6,940,333	6,967,998
Operating Expenses	1,568,745	1,806,186	1,984,417	4,068,397	4,068,969
Equipment & Intangible Assets	305,125	305,125	0	0	0
Benefits & Claims	0	114,467	0	0	0
Transfers	2,983	3,750	9,000	9,000	9,000
Debt Service	91,156	100,764	7,012	7,012	7,012
Total Expenditures	\$7,879,554	\$8,499,130	\$8,520,670	\$11,024,742	\$11,052,979
General Fund	6,932,978	7,116,755	7,318,571	9,821,321	9,847,203
State/Other Special Rev. Funds	731,577	1,047,502	977,449	981,128	983,493
Federal Spec. Rev. Funds	214,999	334,873	224,650	222,293	222,283
Total Funds	\$7,879,554	\$8,499,130	\$8,520,670	\$11,024,742	\$11,052,979
Total Ongoing	\$7,879,554	\$8,499,130	\$8,520,670	\$9,436,251	\$9,464,091
Total OTO	\$0	\$0	\$0	\$1,588,491	\$1,588,888

Funding

The following table shows proposed agency funding for all sources of authority.

Department of Justice, 01-Legal Services Division Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	19,668,524	0	12,360	19,680,884	88.29 %
02140 Consumer Education Settlement	1,372,325	0	0	1,372,325	63.40 %
02937 DOJ Misc SSR MOUs	592,296	0	0	592,296	27.36 %
02957 DOJ Major Litigation	0	0	200,000	200,000	9.24 %
State Special Total	\$1,964,621	\$0	\$200,000	\$2,164,621	9.71 %
03187 BCC Grants To Dept. Of Justice	2	0	0	2	0.00 %
03801 Dept Of Justice-Misc Grants	444,574	0	0	444,574	100.00 %
Federal Special Total	\$444,576	\$0	\$0	\$444,576	1.99 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$22,077,721	\$0	\$212,360	\$22,290,081	

General fund is the primary funding source of the Legal Services Division (LSD) HB 2 budget. The cost of major litigation is entirely supported by general fund. Each of the various functions within LSD has a unique funding source. Attorneys are supported by general fund, state special revenue from consumer education settlement funds, and other state special revenues generated from agreements with other state agencies. The prosecution of hunting violations is funded by the Department of Fish, Wildlife, and Parks. The prosecution of workers' compensation violations is funded by the Montana State Fund. Each of those funding sources are used upon occurrence. Funding for assistance to crime victims comes from the general fund, state special revenue funds, and federal grants. Statutory authority for crime victims' compensation is established in 53-9-113, MCA.

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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	7,318,571	7,318,571	14,637,142	74.42 %	8,520,670	8,520,670	17,041,340	77.19 %
SWPL Adjustments	527,382	562,814	1,090,196	5.54 %	542,018	580,228	1,122,246	5.08 %
PL Adjustments	1,000,718	1,000,565	2,001,283	10.18 %	1,000,725	1,000,571	2,001,296	9.06 %
New Proposals	974,650	965,253	1,939,903	9.86 %	961,329	951,510	1,912,839	8.66 %
Total Budget	\$9,821,321	\$9,847,203	\$19,668,524		\$11,024,742	\$11,052,979	\$22,077,721	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----					-----Fiscal 2025-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(89,047)	(6,702)	0	(95,749)	0.00	(63,824)	(4,803)	0	(68,627)
DP 2 - Fixed Costs	0.00	383,933	3,838	0	387,771	0.00	383,680	3,930	0	387,610
DP 3 - Inflation Deflation	0.00	232,496	17,500	0	249,996	0.00	242,958	18,287	0	261,245
DP 20 - SABHRS Rate Adjustment	0.00	718	7	0	725	0.00	565	6	0	571
DP 102 - Litigation Funding (RST/BIEN/OTO)	0.00	1,000,000	0	0	1,000,000	0.00	1,000,000	0	0	1,000,000
DP 222 - RMTD Adjustment	0.00	29,558	295	0	29,853	0.00	29,550	303	0	29,853
DP 223 - RMTD Adjustment (OTO)	0.00	(29,558)	(295)	0	(29,853)	0.00	(29,550)	(303)	0	(29,853)
Grand Total All Present Law Adjustments	0.00	\$1,528,100	\$14,643	\$0	\$1,542,743	0.00	\$1,563,379	\$17,420	\$0	\$1,580,799

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments to provide the funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 20 - SABHRS Rate Adjustment -

The legislature adopted an increase to proposed SABHRS rates.

DP 102 - Litigation Funding (RST/BIEN/OTO) -

The legislature adopted a one-time only increase in general fund authority for litigation expenses. The funding will provide additional resources including experts, outside counsel, and increased costs in courts nationwide. The appropriation will also provide funding to pay for litigation expenses like discovery costs, technical support, trial preparation, and in some cases, attorney fees and costs the state must pay pursuant to court orders. Since 2021, the volume of constitutional challenges to state laws has increased significantly. This appropriation is restricted to its designated use.

DP 222 - RMTD Adjustment -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package eliminates the reduction included in DP 2. This change is necessary to designate the reduction as one-time-only in the budgeting system.

DP 223 - RMTD Adjustment (OTO) -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package designates the reduction as one-time-only.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
-----Fiscal 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 101 - Civil Attorney	2.00	231,087	0	0	231,087	2.00	230,701	0	0	230,701
DP 196 - Elder Exploitation Prosecutor	1.00	118,344	0	0	118,344	1.00	118,741	0	0	118,741
DP 197 - Appellate Attorney	1.00	133,115	0	0	133,115	1.00	128,686	0	0	128,686
DP 198 - Natural Resource Damage Program Contingency (RST/BIEN/OTO)	0.00	500,000	0	0	500,000	0.00	500,000	0	0	500,000
DP 199 - State Attorneys Office Prosecution Enhancement (RST/OTO)	1.00	118,344	0	0	118,344	1.00	118,741	0	0	118,741
DP 333 - Adjustment to Inflation	0.00	(66,034)	(4,970)	0	(71,004)	0.00	(71,158)	(5,356)	0	(76,514)
DP 555 - Additional Vacancy Savings	0.00	(60,206)	(5,994)	(2,357)	(68,557)	0.00	(60,458)	(6,020)	(2,367)	(68,845)
Total	5.00	\$974,650	(\$10,964)	(\$2,357)	\$961,329	5.00	\$965,253	(\$11,376)	(\$2,367)	\$951,510

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

DP 101 - Civil Attorney -

The legislature adopted an increase in general fund authority for the addition of 2.00 FTE lawyers. These positions are intended to address the increased workload volume of constitutional challenges to state laws.

DP 196 - Elder Exploitation Prosecutor -

The legislature adopted an increase in general fund for 1.00 FTE to prosecute cases of exploitation of the elderly.

DP 197 - Appellate Attorney -

The legislature adopted general fund authority for the addition of 1.00 FTE appellate attorney within the Appellate Bureau.

DP 198 - Natural Resource Damage Program Contingency (RST/BIEN/OTO) -

The legislature adopted one-time-only general fund for the Natural Resource Damage Program (NRDP).

DP 199 - State Attorneys Office Prosecution Enhancement (RST/OTO) -

The legislature adopted one-time-only general fund authority for the addition of 1.00 FTE attorney position to address the increased prosecutorial casework related to use of force, homicides, officer-involved shootings, and cold case requests. This appropriation is restricted to ensure that the department of justice meets its statutory responsibilities under 41-3-210 and prosecute child sexual abuse cases where county attorneys are unable to do so.

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 555 - Additional Vacancy Savings -

The legislature adopted an additional 1.0% vacancy savings.

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	60,563,233	63,579,653	3,016,420	4.98 %
Operating Expenses	21,534,233	24,874,011	3,339,778	15.51 %
Equipment & Intangible Assets	6,253,722	8,130,330	1,876,608	30.01 %
Debt Service	4,124,132	2,954,524	(1,169,608)	(28.36)%
Total Expenditures	\$92,475,320	\$99,538,518	\$7,063,198	7.64 %
General Fund	1,297,277	3,493,150	2,195,873	169.27 %
State/Other Special Rev. Funds	91,178,043	96,045,368	4,867,325	5.34 %
Total Funds	\$92,475,320	\$99,538,518	\$7,063,198	7.64 %
Total Ongoing	\$92,475,320	\$99,647,290	\$7,171,970	7.76 %
Total OTO	\$0	(\$108,772)	(\$108,772)	100.00 %

Program Description

The Highway Patrol Division is responsible for patrolling the highways of Montana, enforcing traffic laws, and investigating traffic crashes. The patrol gives assistance and information to motorists and first aid to those injured in traffic crashes, transports blood and medical supplies in emergency situations, and assists other law enforcement agencies when requested. The patrol provides 24-hour-a-day, seven-day-a-week communication and radio dispatch for the Highway Patrol and other state agencies. The patrol also provides security for the governor.

Program Highlights

Montana Highway Patrol Major Budget Highlights
<p>The 2025 biennium budget adopted by the legislature for the Montana Highway Patrol is 7.6% or \$7.1 million greater than the 2023 biennium. Biennial changes include:</p> <ul style="list-style-type: none"> • \$2.9 million in salary increases, an increase of 6.1%, for highway patrol officers • \$2.6 million for 7.00 FTE maintenance workers for the Boulder campus • \$1.4 million for a new video system for patrol vehicles • \$800,000 for an equipment increase including patrol vehicles • \$450,000 to pay county detention facilities at an increased rate per HB 174 • Increases were partially offset by an overall reduction in statewide present law adjustments to personal services, fixed costs, and inflation totaling \$1.1 million

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	314.09	314.09	321.09	321.09
Personal Services	29,897,878	29,892,418	30,670,815	31,697,490	31,882,163
Operating Expenses	11,236,671	11,316,693	10,217,540	12,441,239	12,432,772
Equipment & Intangible Assets	2,430,896	2,588,557	3,665,165	4,065,165	4,065,165
Debt Service	2,691,380	2,646,870	1,477,262	1,477,262	1,477,262
Total Expenditures	\$46,256,825	\$46,444,538	\$46,030,782	\$49,681,156	\$49,857,362
General Fund	1,056,876	1,088,818	208,459	1,746,552	1,746,598
State/Other Special Rev. Funds	45,199,949	45,355,720	45,822,323	47,934,604	48,110,764
Total Funds	\$46,256,825	\$46,444,538	\$46,030,782	\$49,681,156	\$49,857,362
Total Ongoing	\$46,256,825	\$46,444,538	\$46,030,782	\$49,735,542	\$49,911,748
Total OTO	\$0	\$0	\$0	(\$54,386)	(\$54,386)

Funding

The following table shows proposed agency funding for all sources of authority.

Department of Justice, 03-Montana Highway Patrol Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	3,493,150	0	4,010,463	7,503,613	7.25 %
02014 Highway Patrol Pay & Retention	18,698,282	0	0	18,698,282	19.46 %
02143 Drug Forfeitures-State	0	0	21,000	21,000	0.02 %
02464 MHP Highway State Special	69,152,730	0	0	69,152,730	71.98 %
02690 Public Service Radio	7,503,106	0	0	7,503,106	7.81 %
02594 Statewide 911 Services Admin	691,250	0	0	691,250	0.72 %
State Special Total	\$96,045,368	\$0	\$21,000	\$96,066,368	92.75 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$99,538,518	\$0	\$4,031,463	\$103,569,981	

The Montana Highway Patrol (MHP) HB 2 budget is primarily supported with state special revenue. Most of the HB 2 costs, are funded by the MHP Highway State Special account established by the 2017 Legislature. Remaining state special revenues are primarily derived from the Highway Patrol Pay & Retention account. Statutory authority of \$4.0 million, as outlined in 16-6-404, MCA, provides general fund for highway patrol retirement contributions.

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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	208,459	208,459	416,918	11.94 %	46,030,782	46,030,782	92,061,564	92.49 %
SWPL Adjustments	0	0	0	0.00 %	(389,810)	(197,182)	(586,992)	(0.59)%
PL Adjustments	0	0	0	0.00 %	1,848,361	1,847,648	3,696,009	3.71 %
New Proposals	1,538,093	1,538,139	3,076,232	88.06 %	2,191,823	2,176,114	4,367,937	4.39 %
Total Budget	\$1,746,552	\$1,746,598	\$3,493,150		\$49,681,156	\$49,857,362	\$99,538,518	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----					-----Fiscal 2025-----			
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special
DP 1 - Personal Services	0.00	0	(894,710)	0	(894,710)	0.00	0	(711,529)	0
DP 2 - Fixed Costs	0.00	0	(319,515)	0	(319,515)	0.00	0	(321,131)	0
DP 3 - Inflation Deflation	0.00	0	824,415	0	824,415	0.00	0	835,478	0
DP 20 - SABHRS Rate Adjustment	0.00	0	3,361	0	3,361	0.00	0	2,648	0
DP 222 - RMTD Adjustment	0.00	0	454,386	0	454,386	0.00	0	454,386	0
DP 223 - RMTD Adjustment (OTO)	0.00	0	(454,386)	0	(454,386)	0.00	0	(454,386)	0
DP 302 - MHP Salary Survey	0.00	0	1,445,000	0	1,445,000	0.00	0	1,445,000	0
DP 303 - Equipment (RST/BIEN/OTO)	0.00	0	400,000	0	400,000	0.00	0	400,000	0
Grand Total All Present Law Adjustments	0.00	\$0	\$1,458,551	\$0	\$1,458,551	0.00	\$0	\$1,650,466	\$0

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments to provide the funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 20 - SABHRS Rate Adjustment -

The legislature adopted an increase to proposed SABHRS rates.

DP 222 - RMTD Adjustment -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package eliminates the reduction included in DP 2. This change is necessary to designate the reduction as one-time-only in the budgeting system.

DP 223 - RMTD Adjustment (OTO) -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package designates the reduction as one-time-only.

DP 302 - MHP Salary Survey -

The legislature adopted an increase of 6.1% in salary for all uniformed MHP employees as calculated in the salary survey.

DP 303 - Equipment (RST/BIEN/OTO) -

The legislature adopted one-time-only funding for equipment, including patrol vehicles. This appropriation is restricted for its designated use.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
-----Fiscal 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 301 - Boulder Campus	7.00	1,311,938	0	0	1,311,938	7.00	1,311,984	0	0	1,311,984
DP 306 - MHP Camera Systems (BIEN)	0.00	0	700,000	0	700,000	0.00	0	700,000	0	700,000
DP 308 - MHP Tasers	0.00	0	163,000	0	163,000	0.00	0	163,000	0	163,000
DP 333 - Adjustment to Inflation	0.00	0	(245,270)	0	(245,270)	0.00	0	(261,025)	0	(261,025)
DP 1401 - HB 174	0.00	226,155	0	0	226,155	0.00	226,155	0	0	226,155
DP 1407 - SB 13	0.00	0	36,000	0	36,000	0.00	0	36,000	0	36,000
Total	7.00	\$1,538,093	\$653,730	\$0	\$2,191,823	7.00	\$1,538,139	\$637,975	\$0	\$2,176,114

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

DP 301 - Boulder Campus -

The legislature adopted general fund authority to support the expenses incurred by operating and maintaining the Boulder campus. The request would also provide 7.00 FTE as maintenance positions at the campus.

DP 306 - MHP Camera Systems (BIEN) -

The legislature adopted funding for a new in-car video system.

DP 308 - MHP Tasers -

The legislature adopted an increase in state special revenue to fund the subscription-based costs of supplying 242 troopers with tasers.

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 1401 - HB 174 -

The legislature adopted contingency language to increase appropriations if HB 174 was passed and approved, and this decision package implements this language. HB 174 requires the reimbursement rates that are paid to county jails be calculated using \$82.00 per bed per day or the per diem rate for Crossroads Correctional Facility (CCF) less 10%, whichever is higher. This increases operating costs within the division.

DP 1407 - SB 13 -

The legislature adopted contingency language to increase appropriations if SB 13 was passed and approved and this decision package implements this language. SB 13 allows for oral fluid to be used to test for the presence of drugs. The Montana Highway Patrol will incur increased costs for each test they administer and for travel time related to providing training on oral fluid tests.

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	7,264,017	8,049,591	785,574	10.81 %
Operating Expenses	3,653,316	4,028,406	375,090	10.27 %
Equipment & Intangible Assets	390,199	2,163,640	1,773,441	454.50 %
Total Expenditures	\$11,307,532	\$14,241,637	\$2,934,105	25.95 %
General Fund	9,517,738	12,463,015	2,945,277	30.95 %
State/Other Special Rev. Funds	1,762,855	1,751,712	(11,143)	(0.63)%
Federal Spec. Rev. Funds	5,331	5,326	(5)	(0.09)%
Proprietary Funds	21,608	21,584	(24)	(0.11)%
Total Funds	\$11,307,532	\$14,241,637	\$2,934,105	25.95 %
Total Ongoing	\$11,307,532	\$12,208,719	\$901,187	7.97 %
Total OTO	\$0	\$2,032,918	\$2,032,918	100.00 %

Program Description

The Justice Information Technology Services Division (JITSD) engineers, designs, plans, implements, directs, evaluates, operates, and manages all information technologies systems and services within the Department of Justice (DOJ).

These systems include the Montana Enhanced Registration Licensing Network (MERLIN) (MVD), driver testing, and license/identification production (MVD), IJIS Broker, SmartCop (MHP), CJIN (DCI), Computerized Criminal History (DCI), Automated Biometric Identification System (DCI), Sexual or Violent Offender (SVOR) repository and web site, Laboratory Management Information System (FSD), GENTAX (GCD), and many other technology solutions deployed within the department.

The division provides direct and indirect support for statewide services to federal, state, and local law enforcement agencies in identification of persons, fingerprint processing, and criminal records storage and dissemination. JITSD is also responsible for DOJ information security, disaster recovery plan and implementation, and the IT Strategic Plan.

Program Highlights

Justice Information Technology Services Division Major Budget Highlights
<p>The 2025 biennium budget adopted by the legislature for the JITSD is 26.0% or \$2.9 million greater than the 2023 biennium, including:</p> <ul style="list-style-type: none"> • \$2.0 million one-time-only funding in FY 2024 to replace servers • \$810,000 in statewide present law adjustments to personal services, fixed costs, and inflation • \$90,000 for new firewalls to protect the department's servers from cyber threats

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	42.99	42.99	42.99	42.99
Personal Services	3,229,577	3,411,491	3,852,526	4,014,821	4,034,770
Operating Expenses	1,996,374	1,828,061	1,825,255	2,005,497	2,022,909
Equipment & Intangible Assets	359,379	353,379	36,820	2,126,820	36,820
Total Expenditures	\$5,585,330	\$5,592,931	\$5,714,601	\$8,147,138	\$6,094,499
General Fund	4,700,469	4,700,985	4,816,753	7,257,806	5,205,209
State/Other Special Rev. Funds	878,355	878,462	884,393	875,877	875,835
Federal Spec. Rev. Funds	2,668	2,668	2,663	2,663	2,663
Proprietary Funds	3,838	10,816	10,792	10,792	10,792
Total Funds	\$5,585,330	\$5,592,931	\$5,714,601	\$8,147,138	\$6,094,499
Total Ongoing	\$5,585,330	\$5,592,931	\$5,714,601	\$6,085,679	\$6,123,040
Total OTO	\$0	\$0	\$0	\$2,061,459	(\$28,541)

Funding

The following table shows proposed agency funding for all sources of authority.

Department of Justice, 04-Information Technology Services Division Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	12,463,015	0	0	12,463,015	87.51 %
02016 Criminal Justice Info Network	4,296	0	0	4,296	0.25 %
02074 Gambling License Fee Account	30,654	0	0	30,654	1.75 %
02140 Consumer Education Settlement	244,744	0	0	244,744	13.97 %
02797 Criminal Records Info Sys	84,232	0	0	84,232	4.81 %
02798 61-3-550 MVD MERLIN HB261	548,890	0	0	548,890	31.33 %
02937 DOJ Misc SSR MOUs	6,478	0	0	6,478	0.37 %
02799 Motor Vehicle Administration	186,740	0	0	186,740	10.66 %
02464 MHP Highway State Special	645,678	0	0	645,678	36.86 %
State Special Total	\$1,751,712	\$0	\$0	\$1,751,712	12.30 %
03800 Medicaid Fraud	5,326	0	0	5,326	100.00 %
Federal Special Total	\$5,326	\$0	\$0	\$5,326	0.04 %
06005 Liquor Division	7,654	0	0	7,654	35.46 %
06500 Agency Legal Services	13,930	0	0	13,930	64.54 %
Proprietary Total	\$21,584	\$0	\$0	\$21,584	0.15 %
Total All Funds	\$14,241,637	\$0	\$0	\$14,241,637	

The Justice Information Technology Services Division (JITSD) HB 2 budget is funded mainly with general fund. State special revenue comes primarily from the MHP Highway State Special account, Motor Vehicle Division MERLIN funds, and the consumer education settlement account. The variety of state special revenue accounts pay the costs of information technology services provided to the other divisions in DOJ. The balance of JITSD's funding comes from a small amount of federal special revenues (Medicaid) and proprietary funds including liquor licensing fees and agency legal service fees.

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.

-----General Fund-----					-----Total Funds-----			
Budget Item	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	4,816,753	4,816,753	9,633,506	77.30 %	5,714,601	5,714,601	11,429,202	80.25 %
SWPL Adjustments	444,099	491,854	935,953	7.51 %	444,099	491,854	935,953	6.57 %
PL Adjustments	417	329	746	0.01 %	417	329	746	0.01 %
New Proposals	1,996,537	(103,727)	1,892,810	15.19 %	1,988,021	(112,285)	1,875,736	13.17 %
Total Budget	\$7,257,806	\$5,205,209	\$12,463,015		\$8,147,138	\$6,094,499	\$14,241,637	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	204,451	0	0	204,451	0.00	224,610	0	0	224,610
DP 2 - Fixed Costs	0.00	38,196	0	0	38,196	0.00	37,880	0	0	37,880
DP 3 - Inflation Deflation	0.00	201,452	0	0	201,452	0.00	229,364	0	0	229,364
DP 20 - SABHRS Rate Adjustment	0.00	417	0	0	417	0.00	329	0	0	329
DP 222 - RMTD Adjustment	0.00	28,541	0	0	28,541	0.00	28,541	0	0	28,541
DP 223 - RMTD Adjustment (OTO)	0.00	(28,541)	0	0	(28,541)	0.00	(28,541)	0	0	(28,541)
Grand Total All Present Law Adjustments	0.00	\$444,516	\$0	\$0	\$444,516	0.00	\$492,183	\$0	\$0	\$492,183

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments to provide the funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 20 - SABHRS Rate Adjustment -

The legislature adopted an increase to proposed SABHRS rates.

DP 222 - RMTD Adjustment -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package eliminates the reduction included in DP 2. This change is necessary to designate the reduction as one-time-only in the budgeting system.

DP 223 - RMTD Adjustment (OTO) -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package designates the reduction as one-time-only.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
-----Fiscal 2024-----					-----Fiscal 2025-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 333 - Adjustment to Inflation	0.00	(59,823)	0	0	(59,823)	0.00	(69,919)	0	0	(69,919)
DP 401 - Firewalls (RST/BIEN/OTO)	0.00	90,000	0	0	90,000	0.00	0	0	0	0
DP 402 - Server Replacement (OTO)	0.00	2,000,000	0	0	2,000,000	0.00	0	0	0	0
DP 555 - Additional Vacancy Savings	0.00	(33,640)	(8,516)	0	(42,156)	0.00	(33,808)	(8,558)	0	(42,366)
Total	0.00	\$1,996,537	(\$8,516)	\$0	\$1,988,021	0.00	(\$103,727)	(\$8,558)	\$0	(\$112,285)

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

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 401 - Firewalls (RST/BIEN/OTO) -

The legislature adopted a one-time-only increase in general fund authority to provide firewalls that will protect DOJ servers from cyber threats. This appropriation is restricted for its designated use.

DP 402 - Server Replacement (OTO) -

The legislature adopted a one-time-only increase in general fund authority to replace and upgrade servers, which are at the end of their useful life.

DP 555 - Additional Vacancy Savings -

The legislature adopted an additional 1.0% vacancy savings.

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	20,944,452	24,736,079	3,791,627	18.10 %
Operating Expenses	11,107,933	14,921,991	3,814,058	34.34 %
Equipment & Intangible Assets	438,103	491,904	53,801	12.28 %
Grants	240,000	420,763	180,763	75.32 %
Benefits & Claims	1,432,762	1,546,362	113,600	7.93 %
Transfers	54,514	84,514	30,000	55.03 %
Debt Service	628,005	0	(628,005)	(100.00)%
Total Expenditures	\$34,845,769	\$42,201,613	\$7,355,844	21.11 %
General Fund	18,523,128	23,648,312	5,125,184	27.67 %
State/Other Special Rev. Funds	14,217,521	16,313,110	2,095,589	14.74 %
Federal Spec. Rev. Funds	2,105,120	2,235,911	130,791	6.21 %
Proprietary Funds	0	4,280	4,280	0.00 %
Total Funds	\$34,845,769	\$42,201,613	\$7,355,844	21.11 %
Total Ongoing	\$34,845,769	\$42,420,267	\$7,574,498	21.74 %
Total OTO	\$0	(\$218,654)	(\$218,654)	100.00 %

Program Description

The Division of Criminal Investigation (DCI) includes the administration, management, and coordination of criminal investigative services and training performed by the Investigations Bureau, the Narcotics Bureau, the Crime Information Bureau, the Law Enforcement Academy Bureau, Public Safety Officer Standards and Training Bureau, and the Special Services Bureau.

The Investigations Bureau consists of four sections. The Fire Prevention and Investigation Section is responsible for safeguarding life and property from fire, explosion, and arson through investigation, inspection, and fire code interpretation and enforcement functions. The Major Case Section provides criminal investigative assistance to city, county, state, and federal law enforcement agencies. The Medicaid Fraud Control Section is responsible for investigating any crime that occurs in a health care facility, including theft, drug diversion, sexual assault, and homicide. The section also investigates elder exploitation, elder abuse, and fraud by providers within the Medicaid system. The Montana Analysis and Technical Information Center (MATIC), a statewide criminal intelligence center, addresses homeland security issues.

The Narcotics Bureau investigates dangerous drug violations and provides investigative assistance to city, county, state, and federal law enforcement agencies as requested. The bureau also investigates organized criminal activity.

The Crime Information Bureau is responsible for the repository all Montana criminal records, maintains and operates the Criminal Justice Information Network that supports public safety and administers the Amber Alert Program. The bureau also manages the Computer Internet Crime Unit focused on digital forensics support for criminal investigations, online sexual predator cases, and maintains the Sexual and Violent Offender Registry.

The Law Enforcement Academy Bureau provides criminal justice officers and other qualified individuals with basic and specialized training in the field of law enforcement, as well as advanced training opportunities for law enforcement officials statewide.

The Montana Public Safety Officer Standards and Training (POST), which establishes basic and advanced qualification and training standards and certification for employment of Montana's public safety officers, is removed as a bureau from the Division of Criminal Investigation beginning the 2025 biennium and will become an entity that is administratively attached to the Department of Justice for the 2025 biennium.

The Special Services Bureau supports safety and justice for Montana children and other underserved and vulnerable citizens through training, technical support and assistance to Montana professionals who respond to children and other citizens victimized by crime and abuse. The bureau's programs include facilitation of Montana Child Sexual Abuse Response Teams; the Child and Family Ombudsman; Drug Endangered Children awareness training; the Montana Developmental Center facility investigator; the Office of Victim Services and the state Sexual Assault Kit Initiative program.

Program Highlights

Department of Criminal Investigation Major Budget Highlights
<p>The 2025 biennium budget adopted by the legislature for the DCI is \$7.4 million or 21.1% greater than the 2023 biennium. This amount includes appropriations for the Public Safety Officer Standards and Training Council which was removed as a bureau within the Division of Criminal Investigation and administratively attached to the Department of Justice as a separate entity. Therefore, the biennial budget for the division will decrease by \$594,763 in FY 2024 and \$596,147 in FY 2025. Significant changes from the 2023 biennium include:</p> <ul style="list-style-type: none"> • \$2.5 million for 10.00 FTE investigator positions including: <ul style="list-style-type: none"> ◦ One crime investigator and one victims' advocate in the Human Trafficking Unit ◦ Three crime investigators to address crimes against persons and property ◦ Two crime investigators to address the flow of dangerous drugs in underserved regions ◦ One computer crime investigator ◦ One elder justice criminal investigator ◦ One sexual assault nurse examiner for the functions of HB 79 • \$2.4 million in statewide present law adjustments to personal services, fixed costs, and inflation • \$1.3 million for cost increases in the annual maintenance costs of major information technology systems • \$560,000 in state special revenue for operating expenses at the Montana Law Enforcement Academy

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	132.74	132.74	142.74	142.74
Personal Services	10,639,099	9,913,524	11,030,928	12,333,913	12,402,166
Operating Expenses	4,948,477	5,495,175	5,612,758	7,453,367	7,468,624
Equipment & Intangible Assets	338,966	314,651	123,452	368,452	123,452
Grants	126,315	120,000	120,000	207,505	213,258
Benefits & Claims	198,786	659,581	773,181	773,181	773,181
Transfers	11,295	12,257	42,257	42,257	42,257
Debt Service	620,202	628,005	0	0	0
Total Expenditures	\$16,883,140	\$17,143,193	\$17,702,576	\$21,178,675	\$21,022,938
General Fund	9,015,101	8,942,720	9,580,408	11,946,095	11,702,217
State/Other Special Rev. Funds	7,108,092	7,207,720	7,009,801	8,115,121	8,197,989
Federal Spec. Rev. Funds	759,947	992,753	1,112,367	1,115,540	1,120,371
Proprietary Funds	0	0	0	1,919	2,361
Total Funds	\$16,883,140	\$17,143,193	\$17,702,576	\$21,178,675	\$21,022,938
Total Ongoing	\$16,883,140	\$17,143,193	\$17,702,576	\$21,288,002	\$21,132,265
Total OTO	\$0	\$0	\$0	(\$109,327)	(\$109,327)

Funding

The following table shows proposed agency funding for all sources of authority.

Department of Justice, 05-Div of Criminal Investigation Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	23,648,312	0	0	23,648,312	55.46 %
02006 Cigarette Fire Safety Standard	363,944	0	0	363,944	2.17 %
02014 Highway Patrol Pay & Retention	320,502	0	0	320,502	1.91 %
02016 Criminal Justice Info Network	2,165,079	0	0	2,165,079	12.92 %
02106 Crime Victims Compensation-St	0	0	441,028	441,028	2.63 %
02140 Consumer Education Settlement	1,054,527	0	0	1,054,527	6.29 %
02546 MT Law Enforcement Academy	5,198,080	0	0	5,198,080	31.03 %
02797 Criminal Records Info Sys	6,152,854	0	0	6,152,854	36.72 %
02937 DOJ Misc SSR MOUs	427,745	0	0	427,745	2.55 %
02958 DCI Misc Agreements	156,763	0	0	156,763	0.94 %
02464 MHP Highway State Special	473,616	0	0	473,616	2.83 %
State Special Total	\$16,313,110	\$0	\$441,028	\$16,754,138	39.29 %
03169 Federal Crime Victims Benefits	848,806	0	0	848,806	37.96 %
03187 BCC Grants To Dept. Of Justice	15,780	0	0	15,780	0.71 %
03800 Medicaid Fraud	1,371,325	0	0	1,371,325	61.33 %
Federal Special Total	\$2,235,911	\$0	\$0	\$2,235,911	5.24 %
06500 Agency Legal Services	4,280	0	0	4,280	100.00 %
Proprietary Total	\$4,280	\$0	\$0	\$4,280	0.01 %
Total All Funds	\$42,201,613	\$0	\$441,028	\$42,642,641	

The Division of Criminal Investigation (DCI) is supported by a combination of general fund and state and federal special revenue. General fund supports criminal investigations, fire prevention and investigation, state matching funds for Medicaid fraud investigators, drug task forces, the computer crime unit, sexual and violent offender registry, amber alert, and the child sexual abuse response team.

The three largest sources of state special revenue supporting DCI are Montana Law Enforcement Academy surcharges that support the operation of the academy, criminal justice information network revenue that supports itself, and revenue from criminal justice background checks that are paid in exchange for completion of the background check. The largest source of federal state special revenue is Medicaid funding that supports investigations of Medicaid fraud. Statutory appropriations include funding for crime victim compensation, new to DCI following a reorganization transfer from Legal Services Division to DCI early in FY 2022.

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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	9,580,408	9,580,408	19,160,816	81.02 %	17,702,576	17,702,576	35,405,152	83.90 %
SWPL Adjustments	876,111	937,689	1,813,800	7.67 %	802,178	915,538	1,717,716	4.07 %
PL Adjustments	51,043	50,823	101,866	0.43 %	681,092	680,862	1,361,954	3.23 %
New Proposals	1,438,533	1,133,297	2,571,830	10.88 %	1,992,829	1,723,962	3,716,791	8.81 %
Total Budget	\$11,946,095	\$11,702,217	\$23,648,312		\$21,178,675	\$21,022,938	\$42,201,613	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----					-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	694,869	(198,159)	(13,645)	483,065	0.00	736,687	(176,204)	(11,644)	548,839
DP 2 - Fixed Costs	0.00	10,403	(33,205)	0	(22,802)	0.00	9,563	(33,218)	0	(23,655)
DP 3 - Inflation Deflation	0.00	170,839	152,005	19,071	341,915	0.00	191,439	176,814	22,101	390,354
DP 20 - SABHRS Rate Adjustment	0.00	1,043	49	0	1,092	0.00	823	39	0	862
DP 222 - RMTD Adjustment	0.00	(49,878)	159,205	0	109,327	0.00	(44,198)	153,525	0	109,327
DP 223 - RMTD Adjustment (OTO)	0.00	49,878	(159,205)	0	(109,327)	0.00	44,198	(153,525)	0	(109,327)
DP 504 - CJIN services	0.00	0	480,000	0	480,000	0.00	0	480,000	0	480,000
DP 505 - CRISS Authority	0.00	0	150,000	0	150,000	0.00	0	150,000	0	150,000
DP 506 - Imprest funding	0.00	50,000	0	0	50,000	0.00	50,000	0	0	50,000
Grand Total All Present Law Adjustments	0.00	\$927,154	\$550,690	\$5,426	\$1,483,270	0.00	\$988,512	\$597,431	\$10,457	\$1,596,400

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments to provide the funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 20 - SABHRS Rate Adjustment -

The legislature adopted an increase to proposed SABHRS rates.

DP 222 - RMTD Adjustment -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package eliminates the reduction included in DP 2. This change is necessary to designate the reduction as one-time-only in the budgeting system.

DP 223 - RMTD Adjustment (OTO) -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package designates the reduction as one-time-only.

DP 504 - CJIN services -

The legislature adopted an increase in state special revenue authority for the annual subscription for criminal justice information network (CJIN) cloud storage and maintenance through Datamaxx. The request is funded from the CJIN state special revenue fund.

DP 505 - CRISS Authority -

The legislature adopted an increase in state special revenue authority to pay costs of annual live scan devices deployed to agencies throughout Montana. DOJ has received grants to provide palm print readers for compliance with the Sex Offender Registration and Notification Act. The request is funded from the criminal records information system section (CRISS) state special revenue fund.

DP 506 - Imprest funding -

The legislature adopted an increase in general fund authority to address the influx of methamphetamine and opioids such as heroin and fentanyl into the state. The goal is to target major drug trafficking organizations who are distributing dangerous drugs.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
-----Fiscal 2024-----						-----Fiscal 2025-----				
FTE	General Fund	State Special	Federal Special	Total Funds		FTE	General Fund	State Special	Federal Special	Total Funds
DP 333 - Adjustment to Inflation	0.00	(53,689)	(47,770)	(5,993)	(107,452)	0.00	(62,175)	(57,425)	(7,178)	(126,778)
DP 501 - Human Trafficking Agents and Victim Advocate (RST)	2.00	319,655	0	0	319,655	2.00	231,492	0	0	231,492
DP 502 - Major Case Investigators	3.00	448,303	0	0	448,303	3.00	315,981	0	0	315,981
DP 503 - Narcotics Agents	2.00	312,155	0	0	312,155	2.00	223,992	0	0	223,992
DP 507 - Sexual Assault Nurse Examiner	1.00	97,422	0	0	97,422	1.00	97,730	0	0	97,730
DP 509 - MLEA Additional Authority	0.00	0	280,000	0	280,000	0.00	0	280,000	0	280,000
DP 555 - Additional Vacancy Savings	0.00	(71,667)	(37,716)	(1,335)	(110,718)	0.00	(72,049)	(37,928)	(1,341)	(111,318)
DP 599 - DCI Enhancements to Combat Crime (RST)	2.00	226,842	0	0	226,842	2.00	217,460	0	0	217,460
DP 1402 - HB 314	0.00	0	9,100	0	9,100	0.00	0	9,100	0	9,100
DP 3333 - Additional Adjustment to Inflation	0.00	159,512	275,511	5,075	442,017	0.00	180,866	315,752	6,066	505,045
Total	10.00	\$1,438,533	\$479,125	(\$2,253)	\$1,917,324	10.00	\$1,133,297	\$509,499	(\$2,453)	\$1,642,704

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

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 501 - Human Trafficking Agents and Victim Advocate (RST) -

The legislature adopted increased general fund authority for the addition of one crime investigator and one victims' advocate in the Human Trafficking Unit.

DP 502 - Major Case Investigators -

The legislature adopted increased general fund authority for three crime investigators to address crimes against persons and property. The proposal is related to the development of a Regional Critical Incident Response Team.

DP 503 - Narcotics Agents -

The legislature adopted increased general fund for the addition of two crime investigators to provide coverage to address the flow of dangerous drugs in underserved regions, with prioritization along the Hi-Line and in Gallatin and Missoula counties.

DP 507 - Sexual Assault Nurse Examiner -

The legislature adopted an additional 1.00 FTE to create the Sexual Assault Nurse Examiner Program as provided in HB 79.

DP 509 - MLEA Additional Authority -

The legislature adopted an increase in state special revenue for the Montana Law Enforcement Academy. The appropriation will fund training materials and course work supplies, facility and IT costs, ammunition, and food.

DP 555 - Additional Vacancy Savings -

The legislature adopted an additional 1.0% vacancy savings.

DP 599 - DCI Enhancements to Combat Crime (RST) -

The legislature adopted a restricted increase in general fund for an additional two crime investigators. The positions are restricted to be a computer crime investigator and an elder justice criminal investigator.

DP 1402 - HB 314 -

The legislature adopted contingency language to increase appropriations if HB 314 was passed and approved and this decision package implements this language. This bill increases the compensation rate for boards, commissions, and councils to \$100 per day. The Public Safety Officer Standard and Training (POST) council is made up of 13 members.

DP 3333 - Additional Adjustment to Inflation -

The legislature adopted an additional adjustment to inflation included in DP 3.

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	3,023,085	3,152,117	129,032	4.27 %
Operating Expenses	359,517	388,068	28,551	7.94 %
Debt Service	7,910	4,160	(3,750)	(47.41)%
Total Expenditures	\$3,390,512	\$3,544,345	\$153,833	4.54 %
Proprietary Funds	3,390,512	3,544,345	153,833	4.54 %
Total Funds	\$3,390,512	\$3,544,345	\$153,833	4.54 %

Program Description

The Agency Legal Services Bureau (ALS) within Department of Justice provides legal, hearing examiner, and investigative services to state agency clients on a contract basis. ALS attorneys and investigators bill clients for their services, case-related, and incidental costs. ALS FTE are funded from the revenues generated. The customers served are state agencies, boards, and commissions that have entered into contracts with ALS.

The Attorney General is the legal officer for the state per Article VI, Section 4(4), of the Montana Constitution. 2-4-611(2), MCA provides that state agencies may request from the Attorney General's Office a hearing examiner in a contested case. State agencies have the option to use in-house or private counsel and investigators instead of ALS. Executive Order 5-93 provides that agencies must receive approval from the Legal Services Review Committee (made up of a representative of the Attorney General, Budget Director, and the Governor's Chief Legal Counsel) prior to contracting for outside legal services.

Program Highlights

Agency Legal Services Major Budget Highlights
The 2025 biennium budget proposal for the Agency Legal Services is 4.5% or \$154,000 greater than the 2023 biennium and consists of statewide present law adjustments to personal services, fixed costs, and inflation.

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	14.00	14.00	14.00	14.00
Personal Services	1,360,734	1,499,750	1,523,335	1,572,521	1,579,596
Operating Expenses	191,664	179,826	179,691	193,791	194,277
Debt Service	3,729	5,830	2,080	2,080	2,080
Total Expenditures	\$1,556,127	\$1,685,406	\$1,705,106	\$1,768,392	\$1,775,953
Proprietary Funds	1,556,127	1,685,406	1,705,106	1,768,392	1,775,953
Total Funds	\$1,556,127	\$1,685,406	\$1,705,106	\$1,768,392	\$1,775,953

Funding

The following table shows proposed agency funding for all sources of authority.

Department of Justice, 06-Agency Legal Services Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	0	0	0	0	0.00 %
State Special Total	\$0	\$0	\$0	\$0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
06500 Agency Legal Services	0	3,544,345	0	3,544,345	100.00 %
Proprietary Total	\$0	\$3,544,345	\$0	\$3,544,345	100.00 %
Total All Funds	\$0	\$3,544,345	\$0	\$3,544,345	

Agency Legal Services (ALS) is funded with non-budgeted proprietary funds from fees charged to state agencies for attorney and paralegal work. For information on the rates charged to state agencies, refer to the Other Issues section of this program narrative.

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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	0	0	0	0.00 %	1,705,106	1,705,106	3,410,212	96.22 %
SWPL Adjustments	0	0	0	0.00 %	63,161	70,748	133,909	3.78 %
PL Adjustments	0	0	0	0.00 %	125	99	224	0.01 %
New Proposals	0	0	0	0.00 %	0	0	0	0.00 %
Total Budget	\$0	\$0	\$0		\$1,768,392	\$1,775,953	\$3,544,345	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024					Fiscal 2025					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	0	0	0	49,186	0.00	0	0	0	56,261
DP 2 - Fixed Costs	0.00	0	0	0	(8,103)	0.00	0	0	0	(8,148)
DP 3 - Inflation Deflation	0.00	0	0	0	22,078	0.00	0	0	0	22,635
DP 20 - SABHRS Rate Adjustment	0.00	0	0	0	125	0.00	0	0	0	99
Grand Total All Present Law Adjustments	0.00	\$0	\$0	\$0	\$63,286	0.00	\$0	\$0	\$0	\$70,847

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments to provide the funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 20 - SABHRS Rate Adjustment -

The legislature adopted an increase to proposed SABHRS rates.

Other Issues

Proprietary Rates

Program Description

ALS within Department of Justice provides legal, hearing examiner, and investigative services to state agency clients on a contract basis. ALS attorneys and investigators bill clients for their services, case-related costs, and incidental costs. ALS FTE are funded from the revenues generated. The customers served are state agencies, boards, and commissions that have entered into contracts with ALS.

Revenue and Expenditures

Expenditures

The primary costs for ALS are personal services for 14.00 FTE and operating costs. Factors that influence costs include the state pay plan, the ability to recruit and retain staff, and general inflationary pressures that increase costs for items such as utilities, rent, supplies, and equipment. As adopted, the costs for ALS are expected to increase by \$63,161 in FY 2024 and \$70,748 in FY 2025 when compared to the FY 2023 base year. The increases are included as part of the statewide present law adjustment for the ALS and are primarily for personal services.

Revenues

Revenues are generated by fees charged to other state agencies for services provided.

Rate(s) and Rate Explanation

The adopted the rates shown in the following figure for the 2025 biennium. The rates charged in the 2025 biennium will remain the same as the 2023 biennium. The rates are included in Sec. R of HB 2.

Rates for Internal Service or Enterprise Funds				
Fee/Rate Information				
	Estimated FY 2022	Estimated FY 2023	Adopted FY 2024	Adopted FY 2025
Fee Description:				
Attorney (per hour)	\$121	\$121	\$121	\$121
Investigator (per hour)	\$71	\$71	\$71	\$71

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	6,544,365	7,216,709	672,344	10.27 %
Operating Expenses	1,745,921	1,589,063	(156,858)	(8.98)%
Equipment & Intangible Assets	165,720	165,720	0	0.00 %
Debt Service	135,800	3,900	(131,900)	(97.13)%
Total Expenditures	\$8,591,806	\$8,975,392	\$383,586	4.46 %
State/Other Special Rev. Funds	5,915,236	6,169,554	254,318	4.30 %
Proprietary Funds	2,676,570	2,805,838	129,268	4.83 %
Total Funds	\$8,591,806	\$8,975,392	\$383,586	4.46 %
Total Ongoing	\$8,591,806	\$9,058,698	\$466,892	5.43 %
Total OTO	\$0	(\$83,306)	(\$83,306)	100.00 %

Program Description

The Gambling Control Division (GCD) was established by the 1989 Legislature to regulate the gambling industry in Montana. The division has criminal justice authority and conducts routine field inspections, audits, and investigations related to gambling activities. In addition to collecting and distributing licensing and permit fees for gambling machines and activities, the division collects the gambling tax assessed on the net proceeds of gambling activities. In addition, it conducts investigations related to alcoholic beverage licensing and tobacco enforcement. An appointed Gaming Advisory Council of nine members advises the Attorney General to ensure uniform statewide regulation of gambling activities. The Gambling Control Program is mandated by state law.

Program Highlights

Gambling Control Division Major Budget Highlights
<p>The 2025 biennium budget adopted by the legislature for the GCD is nearly 4.5% or \$384,000 greater than the 2023 biennium.</p> <ul style="list-style-type: none"> • Uneven appropriation levels between FY 2022 and FY 2023 skew the biennial comparison. When compared to FY 2023 base appropriations, the biennial change is an overall reduction of 0.8% or \$74,000 • This change includes statewide present law adjustments to personal services and inflation offset by the removal of 3.00 FTE that had been vacant for a period of two years or longer

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	43.99	43.99	40.99	40.99
Personal Services	3,028,636	2,905,071	3,639,294	3,600,476	3,616,233
Operating Expenses	577,681	945,537	800,384	793,490	795,573
Equipment & Intangible Assets	0	82,860	82,860	82,860	82,860
Debt Service	131,716	133,850	1,950	1,950	1,950
Total Expenditures	\$3,738,033	\$4,067,318	\$4,524,488	\$4,478,776	\$4,496,616
State/Other Special Rev. Funds	2,444,236	2,738,856	3,176,380	3,078,810	3,090,744
Proprietary Funds	1,293,797	1,328,462	1,348,108	1,399,966	1,405,872
Total Funds	\$3,738,033	\$4,067,318	\$4,524,488	\$4,478,776	\$4,496,616
Total Ongoing	\$3,738,033	\$4,067,318	\$4,524,488	\$4,520,429	\$4,538,269
Total OTO	\$0	\$0	\$0	(\$41,653)	(\$41,653)

Funding

The following table shows proposed agency funding for all sources of authority.

Department of Justice, 07-Gambling Control Division Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	0	0	0	0	0.00 %
02074 Gambling License Fee Account	5,878,829	0	3,700,088	9,578,917	96.86 %
02120 Live Game Tax	0	0	20,000	20,000	0.20 %
02790 6901-Statewide Tobacco Sttlmnt	290,725	0	0	290,725	2.94 %
State Special Total	\$6,169,554	\$0	\$3,720,088	\$9,889,642	77.90 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
06005 Liquor Division	2,805,838	0	0	2,805,838	100.00 %
Proprietary Total	\$2,805,838	\$0	\$0	\$2,805,838	22.10 %
Total All Funds	\$8,975,392	\$0	\$3,720,088	\$12,695,480	

Gambling control activities are supported primarily by state special revenue generated from gambling licensing fees. Liquor licensing fees (a proprietary fund) support the Gambling Control Division (GCD) functions related to liquor licensing. A small amount of funding from the tobacco settlement state special revenue account support activities related to enforcement of settlement provisions. Statutory appropriations of state special revenue provide for distribution of local government portions of gambling license fees.

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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	0	0	0	0.00 %	4,524,488	4,524,488	9,048,976	100.82 %
SWPL Adjustments	0	0	0	0.00 %	218,525	240,085	458,610	5.11 %
PL Adjustments	0	0	0	0.00 %	446	351	797	0.01 %
New Proposals	0	0	0	0.00 %	(264,683)	(268,308)	(532,991)	(5.94)%
Total Budget	\$0	\$0	\$0		\$4,478,776	\$4,496,616	\$8,975,392	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----					-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	0	145,435	0	213,876	0.00	0	156,737	0	230,495
DP 2 - Fixed Costs	0.00	0	(14,930)	0	(24,884)	0.00	0	(15,052)	0	(25,087)
DP 3 - Inflation Deflation	0.00	0	20,082	0	29,533	0.00	0	23,580	0	34,677
DP 20 - SABHRS Rate Adjustment	0.00	0	268	0	446	0.00	0	211	0	351
DP 222 - RMTD Adjustment	0.00	0	24,991	0	41,653	0.00	0	24,991	0	41,653
DP 223 - RMTD Adjustment (OTO)	0.00	0	(24,991)	0	(41,653)	0.00	0	(24,991)	0	(41,653)
Grand Total All Present Law Adjustments	0.00	\$0	\$150,855	\$0	\$218,971	0.00	\$0	\$165,476	\$0	\$240,436

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments to provide the funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 20 - SABHRS Rate Adjustment -

The legislature adopted an increase to proposed SABHRS rates.

DP 222 - RMTD Adjustment -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package eliminates the reduction included in DP 2. This change is necessary to designate the reduction as one-time-only in the budgeting system.

DP 223 - RMTD Adjustment (OTO) -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package designates the reduction as one-time-only.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
-----Fiscal 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 333 - Adjustment to Inflation	0.00	0	(8,152)	0	(11,989)	0.00	0	(10,031)	0	(14,752)
DP 555 - Additional Vacancy Savings	0.00	0	(26,394)	0	(38,815)	0.00	0	(26,509)	0	(38,984)
DP 999 - Removal of Long Term Vacant Positions	(3.00)	0	(216,679)	0	(216,679)	(3.00)	0	(217,372)	0	(217,372)
DP 1402 - HB 314	0.00	0	2,800	0	2,800	0.00	0	2,800	0	2,800
Total	(3.00)	\$0	(\$248,425)	\$0	(\$264,683)	(3.00)	\$0	(\$251,112)	\$0	(\$268,308)

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

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 555 - Additional Vacancy Savings -

The legislature adopted an additional 1.0% vacancy savings.

DP 999 - Removal of Long Term Vacant Positions -

The legislature adopted the removal of 3.00 FTE vacant positions.

DP 1402 - HB 314 -

The legislature adopted contingency language to increase appropriations if HB 314 was passed and approved and this decision package implements this language. This bill increases the compensation rate for boards, commissions, and councils to \$100 per day. The Gambling Control Division (GCD) supports the operations of the quarterly Gaming Advisory Council (GAC), 2-15-2021, MCA which has nine members.

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	9,124,980	10,105,489	980,509	10.75 %
Operating Expenses	4,273,792	5,329,463	1,055,671	24.70 %
Equipment & Intangible Assets	494,000	452,000	(42,000)	(8.50)%
Transfers	50,000	0	(50,000)	(100.00)%
Debt Service	761,574	632,574	(129,000)	(16.94)%
Total Expenditures	\$14,704,346	\$16,519,526	\$1,815,180	12.34 %
General Fund	11,501,363	12,962,428	1,461,065	12.70 %
State/Other Special Rev. Funds	3,202,983	3,557,098	354,115	11.06 %
Total Funds	\$14,704,346	\$16,519,526	\$1,815,180	12.34 %
Total Ongoing	\$14,579,346	\$16,594,136	\$2,014,790	13.82 %
Total OTO	\$125,000	(\$74,610)	(\$199,610)	(159.69)%

Program Description

The Forensic Science Division (FSD), better known as the State Crime Lab, is one of eight divisions within the Department of Justice. It was established in Montana Code in 1977. The division has facilities in both Missoula and Billings. The Missoula facility houses the Medical Examiners, DNA/Serology, Toxicology, Chemical Analysis, Latent Prints, Firearms/ Toolmarks, Quality Assurance, and Evidence sections. The Billings facility contains Medical Examiner, Chemical Analysis, and Evidence sections.

Program Highlights

Forensic Science Division Major Budget Highlights
<p>The 2025 biennium budget adopted by the legislature for the FSD is 12.3% or \$1.8 million higher than the 2023 biennium. Significant biennial changes include:</p> <ul style="list-style-type: none"> • \$1.3 million in statewide present law adjustments to personal services, fixed costs, and inflation • \$350,000 for instrument replacement and maintenance • \$180,000 for sexual assault testing per HB 457

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	45.80	45.80	45.80	45.80
Personal Services	4,810,788	4,520,852	4,604,128	5,038,977	5,066,512
Operating Expenses	1,584,181	1,847,585	2,426,207	2,658,818	2,670,645
Equipment & Intangible Assets	380,070	368,000	126,000	226,000	226,000
Transfers	50,000	50,000	0	0	0
Debt Service	379,807	445,287	316,287	316,287	316,287
Total Expenditures	\$7,204,846	\$7,231,724	\$7,472,622	\$8,240,082	\$8,279,444
General Fund	5,635,301	5,647,786	5,853,577	6,461,491	6,500,937
State/Other Special Rev. Funds	1,569,545	1,583,938	1,619,045	1,778,591	1,778,507
Total Funds	\$7,204,846	\$7,231,724	\$7,472,622	\$8,240,082	\$8,279,444
Total Ongoing	\$7,142,346	\$7,169,224	\$7,410,122	\$8,277,387	\$8,316,749
Total OTO	\$62,500	\$62,500	\$62,500	(\$37,305)	(\$37,305)

Funding

The following table shows proposed agency funding for all sources of authority.

Department of Justice, 08-Forensic Science Division Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	12,962,428	0	0	12,962,428	78.47 %
02945 DOJ Blood draw MCA 61-8-402	892,714	0	0	892,714	25.10 %
02450 FSD Autopsy and Service Fees	1,847,884	0	0	1,847,884	51.95 %
02464 MHP Highway State Special	816,500	0	0	816,500	22.95 %
State Special Total	\$3,557,098	\$0	\$0	\$3,557,098	21.53 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$16,519,526	\$0	\$0	\$16,519,526	

The Forensic Science Division (FSD) is funded primarily with general fund. The FSD Autopsy and Service Fees account provides most of the state special revenue in the division.

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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	5,791,077	5,791,077	11,582,154	89.35 %	7,410,122	7,410,122	14,820,244	89.71 %
SWPL Adjustments	669,436	715,454	1,384,890	10.68 %	669,436	715,454	1,384,890	8.38 %
PL Adjustments	501	395	896	0.01 %	175,501	175,395	350,896	2.12 %
New Proposals	477	(5,989)	(5,512)	(0.04)%	(14,977)	(21,527)	(36,504)	(0.22)%
Total Budget	\$6,461,491	\$6,500,937	\$12,962,428		\$8,240,082	\$8,279,444	\$16,519,526	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----					-----Fiscal 2025-----			
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Total Funds
DP 1 - Personal Services	0.00	483,039	0	0	483,039	0.00	510,863	0	510,863
DP 2 - Fixed Costs	0.00	(20,834)	0	0	(20,834)	0.00	(21,072)	0	(21,072)
DP 3 - Inflation Deflation	0.00	207,231	0	0	207,231	0.00	225,663	0	225,663
DP 20 - SABHRS Rate Adjustment	0.00	501	0	0	501	0.00	395	0	395
DP 222 - RMTD Adjustment	0.00	37,305	0	0	37,305	0.00	37,305	0	37,305
DP 223 - RMTD Adjustment (OTO)	0.00	(37,305)	0	0	(37,305)	0.00	(37,305)	0	(37,305)
DP 802 - Instrument and Maintenance Funding	0.00	0	175,000	0	175,000	0.00	0	175,000	175,000
Grand Total All Present Law Adjustments	0.00	\$669,937	\$175,000	\$0	\$844,937	0.00	\$715,849	\$175,000	\$890,849

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments to provide the funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 20 - SABHRS Rate Adjustment -

The legislature adopted an increase to proposed SABHRS rates.

DP 222 - RMTD Adjustment -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package eliminates the reduction included in DP 2. This change is necessary to designate the reduction as one-time-only in the budgeting system.

DP 223 - RMTD Adjustment (OTO) -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package designates the reduction as one-time-only.

DP 802 - Instrument and Maintenance Funding -

The legislature adopted an increase in state special revenue authority to address instrument maintenance and repairs and the replacement of blood testing equipment.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
-----Fiscal 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 333 - Adjustment to Inflation	0.00	(56,787)	0	0	(56,787)	0.00	(63,048)	0	0	(63,048)
DP 555 - Additional Vacancy Savings	0.00	(37,538)	(15,454)	0	(52,992)	0.00	(37,743)	(15,538)	0	(53,281)
DP 1402 - HB 314	0.00	100	0	0	100	0.00	100	0	0	100
DP 1403 - HB 457	0.00	90,000	0	0	90,000	0.00	90,000	0	0	90,000
DP 1404 - HB 580	0.00	4,702	0	0	4,702	0.00	4,702	0	0	4,702
Total	0.00	\$477	(\$15,454)	\$0	(\$14,977)	0.00	(\$5,989)	(\$15,538)	\$0	(\$21,527)

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

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 555 - Additional Vacancy Savings -

The legislature adopted an additional 1.0% vacancy savings.

DP 1402 - HB 314 -

The legislature adopted contingency language to increase appropriations if HB 314 was passed and approved and this decision package implements this language. This bill increases the compensation rate for boards, commissions, and councils to \$100 per day. Forensic Services Division (FSD) assumes that the Forensic Science Division advisory board would pay for one qualifying member for one meeting per year.

DP 1403 - HB 457 -

The legislature adopted contingency language to increase appropriations if HB 457 was passed and approved and this decision package implements this language. HB 457 specifies flunitrazolam, which is currently not included on the sexual assault panel utilized by the outsourced lab which the department uses to test for drugs outside of agency scope. An added request for flunitrazolam would be needed for each sex assault case at an added cost to the division.

DP 1404 - HB 580 -

The legislature adopted contingency language to increase appropriations if HB 580 was passed and approved and this decision package implements this language. HB 580 establishes reporting requirements for public information requests. The Forensic Science Division receives requests for reports, discoveries, and statistics on a regular basis. An estimate of eight additional hours per month will be needed to maintain a tracking sheet for the requested reporting.

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	18,009,308	18,402,820	393,512	2.19 %
Operating Expenses	26,001,833	33,041,845	7,040,012	27.08 %
Equipment & Intangible Assets	265,356	328,056	62,700	23.63 %
Local Assistance	50,000	50,000	0	0.00 %
Transfers	408,124	408,124	0	0.00 %
Debt Service	201,700	0	(201,700)	(100.00)%
Total Expenditures	\$44,936,321	\$52,230,845	\$7,294,524	16.23 %
General Fund	10,118,599	15,683,354	5,564,755	55.00 %
State/Other Special Rev. Funds	33,699,283	35,439,075	1,739,792	5.16 %
Proprietary Funds	1,118,439	1,108,416	(10,023)	(0.90)%
Total Funds	\$44,936,321	\$52,230,845	\$7,294,524	16.23 %
Total Ongoing	\$44,936,321	\$52,446,915	\$7,510,594	16.71 %
Total OTO	\$0	(\$216,070)	(\$216,070)	100.00 %

Program Description

The Motor Vehicle Division (MVD) under provision of Title 61 and Title 23, MCA, and federal statutes (such as the Commercial Motor Vehicle Safety Act of 1986, child support regulations, Anti Car Theft Act of 1992, and Odometer Disclosure Act)) is responsible for:

- Examination and licensure of all drivers
- Verification of identification
- Creation and maintenance of permanent driver and motor vehicle records
- Titling and registration of all vehicles including boats, snowmobiles, and ATVs
- Inspection and verification of vehicle identification numbers
- Licensure and compliance control of motor vehicle dealers and manufacturers
- Providing motor voter registration

Program Highlights

Motor Vehicle Division Major Budget Highlights
<p>The 2025 biennium budget adopted by the legislature for the MVD is 16.2% or \$7.3 million greater than the 2023 biennium. Significant biennial changes include:</p> <ul style="list-style-type: none"> • \$5.1 million state special revenue for maintenance costs related to the MERLIN replacement system, CARS • \$2.0 million in statewide present law adjustments to personal services, fixed costs, and inflation

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	151.05	151.05	151.05	151.05
Personal Services	10,051,634	8,819,303	9,190,005	9,179,206	9,223,614
Operating Expenses	11,096,780	12,925,465	13,076,368	16,480,573	16,561,272
Equipment & Intangible Assets	52,226	101,328	164,028	164,028	164,028
Local Assistance	24,110	25,000	25,000	25,000	25,000
Transfers	204,062	204,062	204,062	204,062	204,062
Debt Service	201,349	201,700	0	0	0
Total Expenditures	\$21,630,161	\$22,276,858	\$22,659,463	\$26,052,869	\$26,177,976
General Fund	2,431,381	2,478,322	7,640,277	7,823,550	7,859,804
State/Other Special Rev. Funds	18,643,095	19,234,305	14,464,978	17,675,111	17,763,964
Proprietary Funds	555,685	564,231	554,208	554,208	554,208
Total Funds	\$21,630,161	\$22,276,858	\$22,659,463	\$26,052,869	\$26,177,976
Total Ongoing	\$21,630,161	\$22,276,858	\$22,659,463	\$26,159,045	\$26,287,870
Total OTO	\$0	\$0	\$0	(\$106,176)	(\$109,894)

Funding

The following table shows proposed agency funding for all sources of authority.

Department of Justice, 09-Motor Vehicle Division Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	15,683,354	0	0	15,683,354	29.97 %
02390 Spec Motorcycle Lic Plates	0	0	107,000	107,000	0.30 %
02456 61-6-158 MTIVS & MCE	6,109,844	0	0	6,109,844	17.19 %
02798 61-3-550 MVD MERLIN HB261	2,089,748	0	0	2,089,748	5.88 %
02799 Motor Vehicle Administration	27,239,483	0	0	27,239,483	76.63 %
State Special Total	\$35,439,075	\$0	\$107,000	\$35,546,075	67.92 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
06083 61-3-118 MVD E-Commerce	1,108,416	0	0	1,108,416	100.00 %
Proprietary Total	\$1,108,416	\$0	\$0	\$1,108,416	2.12 %
Total All Funds	\$52,230,845	\$0	\$107,000	\$52,337,845	

Drivers' licensing and vehicle titling and registration functions are supported by the general fund and Motor Vehicle Division (MVD) administrative fee state special revenue account. State special revenues are generated through various taxes and fees related to the owning and operating of motor vehicles. Proprietary funds collected from fees charged for e-government services support online web-based services that may be used by the public.

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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	7,640,277	7,640,277	15,280,554	97.43 %	22,659,463	22,659,463	45,318,926	86.77 %
SWPL Adjustments	236,575	285,967	522,542	3.33 %	1,211,694	1,403,415	2,615,109	5.01 %
PL Adjustments	256	206	462	0.00 %	1,824	1,438	3,262	0.01 %
New Proposals	(53,558)	(66,646)	(120,204)	(0.77)%	2,179,888	2,113,660	4,293,548	8.22 %
Total Budget	\$7,823,550	\$7,859,804	\$15,683,354		\$26,052,869	\$26,177,976	\$52,230,845	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----					-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	75,553	10,273	0	85,826	0.00	101,983	28,718	0	130,701
DP 2 - Fixed Costs	0.00	39,573	241,177	0	280,750	0.00	39,959	238,018	0	277,977
DP 3 - Inflation Deflation	0.00	121,449	723,669	0	845,118	0.00	144,025	850,712	0	994,737
DP 20 - SABHRS Rate Adjustment	0.00	256	1,568	0	1,824	0.00	206	1,232	0	1,438
DP 222 - RMTD Adjustment	0.00	15,490	94,404	0	109,894	0.00	15,797	94,097	0	109,894
DP 223 - RMTD Adjustment (OTO)	0.00	(15,490)	(94,404)	0	(109,894)	0.00	(15,797)	(94,097)	0	(109,894)
Grand Total All Present Law Adjustments	0.00	\$236,831	\$976,687	\$0	\$1,213,518	0.00	\$286,173	\$1,118,680	\$0	\$1,404,853

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments to provide the funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 20 - SABHRS Rate Adjustment -

The legislature adopted an increase to proposed SABHRS rates.

DP 222 - RMTD Adjustment -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package eliminates the reduction included in DP 2. This change is necessary to designate the reduction as one-time-only in the budgeting system.

DP 223 - RMTD Adjustment (OTO) -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package designates the reduction as one-time-only.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
	Fiscal 2024					Fiscal 2025				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 333 - Adjustment to Inflation	0.00	(41,043)	(244,562)	0	(285,605)	0.00	(50,335)	(297,313)	0	(347,648)
DP 555 - Additional Vacancy Savings	0.00	(16,233)	(80,392)	0	(96,625)	0.00	(16,311)	(80,781)	0	(97,092)
DP 902 - FAST Annual Maintenance Costs (RST)	0.00	0	2,550,000	0	2,550,000	0.00	0	2,550,000	0	2,550,000
DP 1400 - HB 60 (OTO)	0.00	3,718	0	0	3,718	0.00	0	0	0	0
DP 1404 - HB 580	0.00	0	8,400	0	8,400	0.00	0	8,400	0	8,400
Total	0.00	(\$53,558)	\$2,233,446	\$0	\$2,179,888	0.00	(\$66,646)	\$2,180,306	\$0	\$2,113,660

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

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 555 - Additional Vacancy Savings -

The legislature adopted an additional 1.0% vacancy savings.

DP 902 - FAST Annual Maintenance Costs (RST) -

The legislature adopted funding for the costs of software maintenance for the new drivers' license and vehicle registration system purchased through FAST Enterprises. In each year of the biennium, the appropriation will be funded with \$1.55 million from the Motor Vehicle Administration account (02799) and \$1.0 million from the MVD MERLIN HB 261 account (02798).

DP 1400 - HB 60 (OTO) -

The legislature adopted contingency language to increase appropriations if HB 60 was passed and approved and this decision package implements this language. HB 60 provides for an annual registration fee on electric vehicles registered in the state of Montana. The department will need to perform programming modifications to the Merlin system.

DP 1404 - HB 580 -

The legislature adopted contingency language to increase appropriations if HB 580 was passed and approved and this decision package implements this language. HB 580 establishes reporting requirements for public information requests. The Motor Vehicle Division receives requests for public records on a regular basis. To accurately track information relating to the public records requests, software will need to be purchased.

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	3,825,262	3,931,258	105,996	2.77 %
Operating Expenses	1,762,284	2,158,542	396,258	22.49 %
Equipment & Intangible Assets	50,000	0	(50,000)	(100.00)%
Local Assistance	2	2	0	0.00 %
Debt Service	79,500	0	(79,500)	(100.00)%
Total Expenditures	\$5,717,048	\$6,089,802	\$372,754	6.52 %
General Fund	3,868,926	4,245,718	376,792	9.74 %
State/Other Special Rev. Funds	1,772,806	1,768,731	(4,075)	(0.23)%
Proprietary Funds	75,316	75,353	37	0.05 %
Total Funds	\$5,717,048	\$6,089,802	\$372,754	6.52 %
Total Ongoing	\$5,717,048	\$6,128,326	\$411,278	7.19 %
Total OTO	\$0	(\$38,524)	(\$38,524)	100.00 %

Program Description

The Central Services Division (CSD) provides accounting; asset management; budgeting; fiscal management; human resources; internal controls; payroll and benefits; purchasing; training; and assistance with the implementation of policies, rules, and regulations for the Department of Justice. The program also administers payments to counties for a portion of the cost of county attorney payroll costs.

Program Highlights

Central Services Division Major Budget Highlights
The 2025 biennium budget adopted by the legislature for the CSD is 6.5% or \$370,000 greater than the 2023 biennium, with the primary driver being \$470,000 in statewide present law increases to personal services, fixed costs, and inflation partially offset by an additional 1.0% vacancy savings rate.

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	21.49	21.49	21.49	21.49
Personal Services	1,929,290	1,907,461	1,917,801	1,960,330	1,970,928
Operating Expenses	728,053	849,406	912,878	1,130,459	1,028,083
Equipment & Intangible Assets	0	50,000	0	0	0
Local Assistance	0	1	1	1	1
Debt Service	78,357	79,500	0	0	0
Total Expenditures	\$2,735,700	\$2,886,368	\$2,830,680	\$3,090,790	\$2,999,012
General Fund	1,817,501	1,966,702	1,902,224	2,168,731	2,076,987
State/Other Special Rev. Funds	880,821	882,233	890,573	884,382	884,349
Proprietary Funds	37,378	37,433	37,883	37,677	37,676
Total Funds	\$2,735,700	\$2,886,368	\$2,830,680	\$3,090,790	\$2,999,012
Total Ongoing	\$2,735,700	\$2,886,368	\$2,830,680	\$3,110,052	\$3,018,274
Total OTO	\$0	\$0	\$0	(\$19,262)	(\$19,262)

Funding

The following table shows proposed agency funding for all sources of authority.

Department of Justice, 10-Central Services Division Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	4,245,718	0	8,220,513	12,466,231	30.56 %
02014 Highway Patrol Pay & Retention	165,370	0	0	165,370	0.59 %
02074 Gambling License Fee Account	132,394	0	0	132,394	0.47 %
02140 Consumer Education Settlement	334,062	0	0	334,062	1.19 %
02143 Drug Forfeitures-State	0	0	229,000	229,000	0.82 %
02797 Criminal Records Info Sys	165,754	0	0	165,754	0.59 %
02799 Motor Vehicle Administration	512,935	0	0	512,935	1.83 %
02464 MHP Highway State Special	300,782	0	0	300,782	1.07 %
02594 Statewide 911 Services Admin	157,434	0	0	157,434	0.56 %
02997 911 Distribution	0	0	19,499,532	19,499,532	69.65 %
02998 911 Grants	0	0	6,499,844	6,499,844	23.22 %
State Special Total	\$1,768,731	\$0	\$26,228,376	\$27,997,107	68.64 %
03214 DCI Federal Forfeitures	0	0	250,000	250,000	100.00 %
Federal Special Total	\$0	\$0	\$250,000	\$250,000	0.61 %
06005 Liquor Division	75,353	0	0	75,353	100.00 %
Proprietary Total	\$75,353	\$0	\$0	\$75,353	0.18 %
Total All Funds	\$6,089,802	\$0	\$34,698,889	\$40,788,691	

The Central Services Division (CSD) is funded by allocation of department wide costs among the various funding sources. General fund is the primary funding source of the division's HB 2 funding. Within the state special revenue funding, the largest source is the MVD administrative fee account. Proprietary funds from liquor licensing fees provide the remainder of HB 2 funding.

General fund supports statutory appropriations that provide roughly half of county attorneys' salaries and group benefits contributions. State special revenue statutory appropriations fund 9-1-1 grants and distributions for the operations and maintenance of 9-1-1 call centers across the state. Other state special and federal special revenue statutory appropriations make use of drug forfeiture proceeds for the enforcement of drug laws and for support of state and local law enforcement programs, respectively.

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.

-----General Fund-----					-----Total Funds-----			
Budget Item	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	1,902,224	1,902,224	3,804,448	89.61 %	2,830,680	2,830,680	5,661,360	92.96 %
SWPL Adjustments	266,662	176,555	443,217	10.44 %	266,662	176,555	443,217	7.28 %
PL Adjustments	475	374	849	0.02 %	475	374	849	0.01 %
New Proposals	(630)	(2,166)	(2,796)	(0.07)%	(7,027)	(8,597)	(15,624)	(0.26)%
Total Budget	\$2,168,731	\$2,076,987	\$4,245,718		\$3,090,790	\$2,999,012	\$6,089,802	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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.

-----Fiscal 2024-----					-----Fiscal 2025-----				
FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services									
0.00	63,164	0	0	63,164	0.00	73,873	0	0	73,873
DP 2 - Fixed Costs									
0.00	88,837	0	0	88,837	0.00	(14,368)	0	0	(14,368)
DP 3 - Inflation Deflation									
0.00	114,661	0	0	114,661	0.00	117,050	0	0	117,050
DP 20 - SABHRS Rate Adjustment									
0.00	475	0	0	475	0.00	374	0	0	374
DP 222 - RMTD Adjustment									
0.00	19,262	0	0	19,262	0.00	19,262	0	0	19,262
DP 223 - RMTD Adjustment (OTO)									
0.00	(19,262)	0	0	(19,262)	0.00	(19,262)	0	0	(19,262)
Grand Total All Present Law Adjustments									
0.00	\$267,137	\$0	\$0	\$267,137	0.00	\$176,929	\$0	\$0	\$176,929

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments to provide the funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 20 - SABHRS Rate Adjustment -

The legislature adopted an increase to proposed SABHRS rates.

DP 222 - RMTD Adjustment -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package eliminates the reduction included in DP 2. This change is necessary to designate the reduction as one-time-only in the budgeting system.

DP 223 - RMTD Adjustment (OTO) -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package designates the reduction as one-time-only.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals	Fiscal 2024					Fiscal 2025				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 99 - New Fixed Costs	0.00	44,869	0	0	44,869	0.00	44,869	0	0	44,869
DP 333 - Adjustment to Inflation	0.00	(31,261)	0	0	(31,261)	0.00	(32,720)	0	0	(32,720)
DP 555 - Additional Vacancy Savings	0.00	(14,238)	(6,191)	0	(20,635)	0.00	(14,315)	(6,224)	0	(20,746)
Total	0.00	(\$630)	(\$6,191)	\$0	(\$7,027)	0.00	(\$2,166)	(\$6,224)	\$0	(\$8,597)

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

DP 99 - New Fixed Costs -

The legislature adopted funding for a new fixed cost for the Chief Data Office and State Management Training Center.

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 555 - Additional Vacancy Savings -

The legislature adopted an additional 1.0% vacancy savings.

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	3,318,269	3,211,081	(107,188)	(3.23)%
Operating Expenses	2,249,524	2,306,260	56,736	2.52 %
Equipment & Intangible Assets	12,910	25,818	12,908	99.98 %
Grants	19,951,667	25,061,875	5,110,208	25.61 %
Transfers	5,992,969	5,771,634	(221,335)	(3.69)%
Total Expenditures	\$31,525,339	\$36,376,668	\$4,851,329	15.39 %
General Fund	3,941,619	7,922,452	3,980,833	100.99 %
State/Other Special Rev. Funds	555,431	642,260	86,829	15.63 %
Federal Spec. Rev. Funds	27,028,289	27,811,956	783,667	2.90 %
Total Funds	\$31,525,339	\$36,376,668	\$4,851,329	15.39 %
Total Ongoing	\$31,525,339	\$32,376,668	\$851,329	2.70 %
Total OTO	\$0	\$4,000,000	\$4,000,000	100.00 %

Program Description

Mission - The mission of Montana Board of Crime Control is to proactively contribute to public safety, crime prevention and victim assistance through planning, policy development and coordination of the justice system in partnership with citizens, government, and communities.

Program Description - The Montana Board of Crime Control (MBCC) is the state's designated agency for policy, planning, and program development in the areas of criminal and juvenile justice, victim assistance, resource development, and public safety. MBCC is administratively attached to the Department of Justice, with an 18-member quasi-judicial board appointed by the Governor. The MBCC provides financial support, technical assistance, and supportive services to state and local criminal justice agencies. The board provides funding to local, regional, and statewide projects with the central goal of making Montana a safer state for all of its citizens. MBCC is the state administering agency for the US Department of Justice programs and the Omnibus Crime Control and Safe Streets Act. MBCC administers federal anti-drug and anti-crime grants, provides funding for juvenile justice programs, and provides assistance to victims of crime. The agency also houses the Statistical Analysis Center that collects and analyzes crime data from Montana law enforcement agencies and reports this data to the FBI Uniform Crime Reporting Program. The division is established in 2-15-2006, MCA.

Statutory Authority - 2-15-2006 and 44-7-101, MCA, create and define the board; 41-5-1901, MCA, youth detention services grants; Title 53, Chapter 9, part 1, MCA, Victims Compensation Act; 42 USC 4760 Anti-Drug Abuse Act; 42 USC 10603 Victims of Crime Act; 42 USC 3796 Stop Violence Against Women Act; 42 USC 3701 National Criminal History Improvement Program; 42 USC 5601 Juvenile Justice and Delinquency Prevention Act; and USC 13701 Violent Crime Control and Law Enforcement Act.

Program Highlights

Montana Board of Crime Control Major Budget Highlights	
<p>The 2025 biennium budget adopted by the legislature for the MBCC is 15.4% or nearly \$4.9 million greater than the 2023 biennium. Significant biennial changes include:</p> <ul style="list-style-type: none"> • \$4.0 million general fund support of victims' services • \$740,000 for a transfer of the family violence prevention grant from the DPHHS • \$140,000 and 0.50 FTE for the implementation and upkeep of a Montana criminal justice warehouse per SB 11 • \$94,000 for a 0.50 FTE grant coordinator currently serving in a modified position • \$180,000 for reductions in statewide present law adjustments 	

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	17.50	17.50	18.50	18.50
Personal Services	1,422,487	1,614,386	1,703,883	1,602,408	1,608,673
Operating Expenses	614,080	1,208,305	1,041,219	1,157,228	1,149,032
Equipment & Intangible Assets	0	1	12,909	12,909	12,909
Grants	8,491,387	9,831,272	10,120,395	12,159,895	12,901,980
Transfers	898,464	3,107,152	2,885,817	2,885,817	2,885,817
Total Expenditures	\$11,426,418	\$15,761,116	\$15,764,223	\$17,818,257	\$18,558,411
General Fund	1,943,233	1,969,430	1,972,189	3,919,759	4,002,693
State/Other Special Rev. Funds	267,414	277,698	277,733	289,396	352,864
Federal Spec. Rev. Funds	9,215,771	13,513,988	13,514,301	13,609,102	14,202,854
Total Funds	\$11,426,418	\$15,761,116	\$15,764,223	\$17,818,257	\$18,558,411
Total Ongoing	\$11,426,418	\$15,761,116	\$15,764,223	\$15,818,257	\$16,558,411
Total OTO	\$0	\$0	\$0	\$2,000,000	\$2,000,000

Funding

The following table shows proposed agency funding for all sources of authority.

Department of Justice, 21-Board of Crime Control Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	7,922,452	0	0	7,922,452	21.78 %
02937 DOJ Misc SSR MOUs	300,000	0	0	300,000	46.71 %
02768 Domestic Violence Intervention	322,260	0	0	322,260	50.18 %
02231 CIT Training - HB701	20,000	0	0	20,000	3.11 %
State Special Total	\$642,260	\$0	\$0	\$642,260	1.77 %
03169 Federal Crime Victims Benefits	592,459	0	0	592,459	2.13 %
03192 Crime Victim Assistance	15,059,312	0	0	15,059,312	54.15 %
03008 Juvenile Justice Council	928,618	0	0	928,618	3.34 %
03081 OVW Sexual Assault Services	728,657	0	0	728,657	2.62 %
03090 P Coverdell Forensic Science	673,426	0	0	673,426	2.42 %
03111 Residential Substance Abuse	362,204	0	0	362,204	1.30 %
03188 Justice Assistance Grant	1,885,191	0	0	1,885,191	6.78 %
03200 SORNA CFDA 16.751	124,000	0	0	124,000	0.45 %
03201 Justice System Enhancements	645,706	0	0	645,706	2.32 %
03248 Prescription Drug Monitoring	458,820	0	0	458,820	1.65 %
03343 Criminal History record Improv	4,200,000	0	0	4,200,000	15.10 %
03344 Violence Against Women Act	2,048,057	0	0	2,048,057	7.36 %
03962 Enf. Underage Drinking Laws	260	0	0	260	0.00 %
03963 John R Justice Grant	85,246	0	0	85,246	0.31 %
03980 Comprehensive Opioid Abuse PGM	20,000	0	0	20,000	0.07 %
Federal Special Total	\$27,811,956	\$0	\$0	\$27,811,956	76.46 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$36,376,668	\$0	\$0	\$36,376,668	

The Montana Board of Crime Control (MBCC) is funded primarily with federal special revenue from federal pass-through grants. General fund primarily supports agency operations, grant compliance, quality assurance activities, and grants to juvenile detention centers and victims' services. Agency operation receives most of its support from the general fund with the balance funded primarily with federal funds. State special revenue for the misdemeanor domestic violence intervention program is administered by this agency. Federal funds administered by the agency come from federal grants and most of these funds are pass-through funds that go to state and local agencies. The largest use of federal funds is for assistance to victims of crime including violence against women.

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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	1,972,189	1,972,189	3,944,378	49.79 %	15,764,223	15,764,223	31,528,446	86.67 %
SWPL Adjustments	(110,783)	(99,099)	(209,882)	(2.65)%	(81,716)	(67,719)	(149,435)	(0.41)%
PL Adjustments	820	646	1,466	0.02 %	1,170	922	2,092	0.01 %
New Proposals	2,057,533	2,128,957	4,186,490	52.84 %	2,134,580	2,860,985	4,995,565	13.73 %
Total Budget	\$3,919,759	\$4,002,693	\$7,922,452		\$17,818,257	\$18,558,411	\$36,376,668	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----					-----Fiscal 2025-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(178,594)	0	0	(178,594)	0.00	(172,294)	0	0	(172,294)
DP 2 - Fixed Costs	0.00	32,931	940	13,173	47,044	0.00	32,493	928	13,001	46,422
DP 3 - Inflation Deflation	0.00	34,880	997	13,957	49,834	0.00	40,702	1,163	16,288	58,153
DP 20 - SABHRS Rate Adjustment	0.00	820	23	327	1,170	0.00	646	18	258	922
Grand Total All Present Law Adjustments	0.00	(\$109,963)	\$1,960	\$27,457	(\$80,546)	0.00	(\$98,453)	\$2,109	\$29,547	(\$66,797)

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments to provide the funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 20 - SABHRS Rate Adjustment -

The legislature adopted an increase to proposed SABHRS rates.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
-----Fiscal 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 333 - Adjustment to Inflation	0.00	(10,386)	(297)	(4,156)	(14,839)	0.00	(12,377)	(354)	(4,953)	(17,684)
DP 555 - Additional Vacancy Savings	0.00	(15,887)	0	0	(15,887)	0.00	(15,952)	0	0	(15,952)
DP 1402 - HB 314	0.00	0	0	2,000	2,000	0.00	0	0	2,000	2,000
DP 1406 - SB 11	0.50	76,646	0	0	76,646	0.50	63,846	0	0	63,846
DP 21002 - Make 0.50 FTE Grant Coordinator Permanent	0.50	7,160	10,000	30,000	47,160	0.50	7,190	10,000	30,000	47,190
DP 21004 - Increase federal authority to meet grant levels	0.00	0	0	39,500	39,500	0.00	0	0	39,500	39,500
DP 21005 - Transfer Domestic Violence Grant from DPHHS	0.00	0	0	0	0	0.00	86,250	63,376	592,459	742,085
DP 21006 - Increase Authority for Victim Services (OTO)	0.00	2,000,000	0	0	2,000,000	0.00	2,000,000	0	0	2,000,000
Total	1.00	\$2,057,533	\$9,703	\$67,344	\$2,134,580	1.00	\$2,128,957	\$73,022	\$659,006	\$2,860,985

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

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 555 - Additional Vacancy Savings -

The legislature adopted an additional 1.0% vacancy savings.

DP 1402 - HB 314 -

The legislature adopted contingency language to increase appropriations if HB 314 was passed and approved and this decision package implements this language. This bill increases the compensation rate for boards, commissions, and councils to \$100 per day. The Montana Board of Crime Control (MBCC) assumes that the bill would increase the compensation for the Youth Justice Council. Ten members of this board are not public employees and would receive increased compensation.

DP 1406 - SB 11 -

The legislature adopted contingency language to increase appropriations if SB 11 was passed and approved, and this decision package implements this language. SB 11 requires the development of a criminal justice data warehouse within the MBCC to receive, store, secure, and maintain data from contributing entities. Appropriations to the MBCC relate to hiring a 0.50 FTE administrative officer including new office equipment, entering MOUs with local entities and other stakeholders, and contracting costs related to implementing the timeline required in the bill.

DP 21002 - Make 0.50 FTE Grant Coordinator Permanent -

The legislature adopted a change to make a modified position into a full-time employee, adding 0.50 FTE to the budget. The position is a grant coordinator. A current 0.50 FTE would combine with the new 0.50 FTE to create 1.00 FTE. This position is funded from general fund, state special revenues, and federal grants.

DP 21004 - Increase federal authority to meet grant levels -

The legislature adopted an increase in federal authority for a SORNA grant and a John R. Justice grant.

DP 21005 - Transfer Domestic Violence Grant from DPHHS -

The legislature adopted a transfer of the Family Violence Prevention Services Act (FVSPA) grant from the Department of Public Health and Human Services to the MBCC, effective October 1, 2024.

DP 21006 - Increase Authority for Victim Services (OTO) -

The legislature adopted one-time-only general fund authority to provide state support for victims' services.

Agency Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Agency Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	7,009,191	7,974,175	964,984	13.77 %
Operating Expenses	2,880,322	2,079,330	(800,992)	(27.81)%
Debt Service	396,436	631,274	234,838	59.24 %
Total Expenditures	\$10,285,949	\$10,684,779	\$398,830	3.88 %
State/Other Special Rev. Funds	9,738,604	10,137,397	398,793	4.09 %
Federal Spec. Rev. Funds	547,345	547,382	37	0.01 %
Total Funds	\$10,285,949	\$10,684,779	\$398,830	3.88 %
Total Ongoing	\$9,161,867	\$10,638,706	\$1,476,839	16.12 %
Total OTO	\$1,124,082	\$46,073	(\$1,078,009)	(95.90)%

Agency Description

The Department of Public Service Regulation is comprised of a 5-member elected Public Service Commission supported by a professional staff that provide expert legal, regulatory, public policy, consumer relations, and operational support. It is the duty of the Montana Public Service Commission to supervise and regulate the operations of public utilities, common carriers, railroads, and other regulated industries listed in Title 69 (MCA). Such regulation and supervision is limited by and shall be in conformance with Title 69.

Agency Highlights

Public Service Commission Major Budget Highlights
<p>The legislature adopted the Public Service Commission's 2025 biennium budget at 3.9% or \$399,000 greater than the 2023 biennium budget. When compared to the FY 2023 base budget, the 2025 biennium increase is \$1.6 million. Significant biennial increases adopted by the legislature include:</p> <ul style="list-style-type: none"> • \$642,000 in statewide present law adjustments for personal services and fixed costs, and inflation with \$473,000 associated with personal service increases • \$461,000 for 2.00 FTE including an IT systems administrator and an attorney • \$308,000 for software modernization (REDDI) • \$80,000 for anticipated retirement payouts

Agency Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Agency Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	36.00	36.00	38.00	38.00
Personal Services	3,317,527	3,484,720	3,524,471	4,019,743	3,954,432
Operating Expenses	1,346,644	1,490,851	1,389,471	1,079,366	999,964
Debt Service	146,055	146,056	250,380	304,376	326,898
Total Expenditures	\$4,810,226	\$5,121,627	\$5,164,322	\$5,403,485	\$5,281,294
State/Other Special Rev. Funds	4,648,198	4,847,973	4,890,631	5,129,794	5,007,603
Federal Spec. Rev. Funds	162,028	273,654	273,691	273,691	273,691
Total Funds	\$4,810,226	\$5,121,627	\$5,164,322	\$5,403,485	\$5,281,294
Total Ongoing	\$4,391,302	\$4,604,926	\$4,556,941	\$5,340,336	\$5,298,370
Total OTO	\$418,924	\$516,701	\$607,381	\$63,149	(\$17,076)

Summary of Legislative Action

The legislature adopted an increase of approximately 17.2% or \$1.6 million when compared to the FY 2023 HB 2 base appropriations. Notable items funded by the legislature in addition to statewide present law adjustments include:

- \$461,000 - 2.00 FTE including one IT system's analyst to work full time with the new REDDI system and one new lawyer
- \$308,000 - implementation and ongoing licensing costs associated with REDDI
- \$130,000 - building lease increases
- \$80,000 - biennial appropriation provided for anticipated retirement payouts

Funding

The following table shows adopted agency funding for all sources of authority.

Total Public Service Commission Funding by Source of Authority 2025 Biennium Budget Request - Public Service Commission						
Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	0	0	0	0	0	0.00 %
State Special Total	10,091,324	46,073	0	0	10,137,397	94.88 %
Federal Special Total	547,382	0	0	0	547,382	5.12 %
Proprietary Total	0	0	0	0	0	0.00 %
Other Total	0	0	0	0	0	0.00 %
Total All Funds	\$10,638,706	\$46,073	\$0	\$0	\$10,684,779	
Percent - Total All Sources	99.57 %	0.43 %	0.00 %	0.00 %		

The PSC is funded with a combination of state and federal special revenue. State special revenue derived from fees paid by regulated utility companies is the primary source of funding in the 2025 biennium budget. Federal special revenue from a natural gas pipeline safety grant makes up the remainder of the funding.

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.

-----General Fund-----					-----Total Funds-----			
Budget Item	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	0	0	0	0.00 %	4,556,941	4,556,941	9,113,882	85.30 %
SWPL Adjustments	0	0	0	0.00 %	346,886	322,451	669,337	6.26 %
PL Adjustments	0	0	0	0.00 %	141,499	86,182	227,681	2.13 %
New Proposals	0	0	0	0.00 %	358,159	315,720	673,879	6.31 %
Total Budget	\$0	\$0	\$0		\$5,403,485	\$5,281,294	\$10,684,779	

Other Legislation

HB 10 - This bill provides appropriations for the state's information technology capital projects. Authority provided to the PSC is associated with completing the software modernization project (REDDI) which was started with appropriations provided by the 2021 legislature. Ongoing licensing and implementation fees have been included in HB 2.

Executive Budget Comparison

The following table compares the legislative budget for the biennium to the budget requested by the Governor by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Approp. Fiscal 2023	Executive Budget Fiscal 2024	Legislative Budget Fiscal 2024	Leg — Exec. Difference Fiscal 2024	Executive Budget Fiscal 2025	Legislative Budget Fiscal 2025	Leg — Exec. Difference Fiscal 2025	Biennium Difference Fiscal 24-25
FTE	36.00	40.00	38.00	(2.00)	40.00	38.00	(2.00)	(2.00)
Personal Services	3,524,471	4,225,073	4,019,743	(205,330)	4,160,042	3,954,432	(205,610)	(410,940)
Operating Expenses	1,389,471	1,106,833	1,079,366	(27,467)	1,024,896	999,964	(24,932)	(52,399)
Equipment & Intangible Assets	0	0	0	0	0	0	0	0
Debt Service	250,380	310,375	304,376	(5,999)	335,400	326,898	(8,502)	(14,501)
Total Costs	\$5,164,322	\$5,642,281	\$5,403,485	(\$238,796)	\$5,520,338	\$5,281,294	(\$239,044)	(\$477,840)
State/other Special Rev. Funds	4,890,631	5,368,590	5,129,794	(238,796)	5,246,647	5,007,603	(239,044)	(477,840)
Federal Spec. Rev. Funds	273,691	273,691	273,691	0	273,691	273,691	0	0
Total Funds	\$5,164,322	\$5,642,281	\$5,403,485	(\$238,796)	\$5,520,338	\$5,281,294	(\$239,044)	(\$477,840)
Total Ongoing	\$4,556,941	\$5,562,056	\$5,340,336	(\$221,720)	\$5,520,338	\$5,298,370	(\$221,968)	(\$443,688)
Total OTO	\$607,381	\$80,225	\$63,149	(\$17,076)	\$0	(\$17,076)	(\$17,076)	(\$34,152)

The legislature adopted total appropriations that are \$480,000 lower, all in state special revenue, than the executive's requested appropriations. The differences in the legislative budget compared to the executive budget include:

- (\$368,000) - The legislature funded 2.00 of the 4.00 new FTE requested including slightly reduced funding for the new lawyer position. Requests for one rail inspector and one administrative specialist were not funded
- (\$68,000) – The legislature adopted an additional 1.0% vacancy savings
- (\$28,000) - The legislature adopted a reduction to the statewide present law adjustment for inflation
- (\$15,000) - The legislature adopted lease increases at 90.0% of the executive request
- \$142 – The legislature adopted an additional increase to the state accounting, budgeting, and human resources system (SABHRS) rates

Language and Statutory Authority

The legislature adopted the following language in HB 2:

"The Public Service Regulation Program includes a one-time-only reduction in FY 2024 and FY 2025 for a suspension of insurance premium payments to the Risk Management and Tort Defense Division's proprietary fund."

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	36.00	36.00	38.00	38.00
Personal Services	3,317,527	3,484,720	3,524,471	4,019,743	3,954,432
Operating Expenses	1,346,644	1,490,851	1,389,471	1,079,366	999,964
Debt Service	146,055	146,056	250,380	304,376	326,898
Total Expenditures	\$4,810,226	\$5,121,627	\$5,164,322	\$5,403,485	\$5,281,294
State/Other Special Rev. Funds	4,648,198	4,847,973	4,890,631	5,129,794	5,007,603
Federal Spec. Rev. Funds	162,028	273,654	273,691	273,691	273,691
Total Funds	\$4,810,226	\$5,121,627	\$5,164,322	\$5,403,485	\$5,281,294
Total Ongoing	\$4,391,302	\$4,604,926	\$4,556,941	\$5,340,336	\$5,298,370
Total OTO	\$418,924	\$516,701	\$607,381	\$63,149	(\$17,076)

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----						-----Fiscal 2025-----				
FTE	General Fund	State Special	Federal Special	Total Funds		FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	0	229,293	0	229,293	0.00	0	244,195	0	244,195
DP 2 - Fixed Costs	0.00	0	94,524	0	94,524	0.00	0	51,593	0	51,593
DP 3 - Inflation Deflation	0.00	0	23,069	0	23,069	0.00	0	26,663	0	26,663
DP 5 - Building Lease Increase	0.00	0	53,996	0	53,996	0.00	0	76,518	0	76,518
DP 10 - Retirement Payouts (RST/BIEN/OTO)	0.00	0	80,225	0	80,225	0.00	0	0	0	0
DP 11 - Computer Replacement	0.00	0	7,200	0	7,200	0.00	0	9,600	0	9,600
DP 20 - SABHRS Rate Adjustment	0.00	0	78	0	78	0.00	0	64	0	64
DP 222 - RMTD Adjustment	0.00	0	17,076	0	17,076	0.00	0	17,076	0	17,076
DP 223 - RMTD Adjustment (OTO)	0.00	0	(17,076)	0	(17,076)	0.00	0	(17,076)	0	(17,076)
Grand Total All Present Law Adjustments	0.00	\$0	\$488,385	\$0	\$488,385	0.00	\$0	\$408,633	\$0	\$408,633

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments to provide the funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 5 - Building Lease Increase -

The legislature adopted an increase of appropriation for lease costs.

DP 10 - Retirement Payouts (RST/BIEN/OTO) -

The legislature adopted one-time-only and restricted authority for anticipated staff retirement payouts in the 2025 biennium.

DP 11 - Computer Replacement -

The legislature adopted authority for the five-year replacement cycle on computers.

DP 20 - SABHRS Rate Adjustment -

The legislature adopted an increase to proposed SABHRS rates.

DP 222 - RMTD Adjustment -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package eliminates the reduction included in DP 2. This change is necessary to designate the reduction as one-time-only in the budgeting system.

DP 223 - RMTD Adjustment (OTO) -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package designates the reduction as one-time-only.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
-----Fiscal 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 4 - Software Modernization Project (REDDI) (BIEN)	0.00	0	170,000	0	170,000	0.00	0	138,000	0	138,000
DP 7 - IT Systems Administrator 2	1.00	0	114,164	0	114,164	1.00	0	110,546	0	110,546
DP 9 - Lawyer 2	1.00	0	120,046	0	120,046	1.00	0	116,433	0	116,433
DP 333 - Adjustment to Inflation	0.00	0	(12,345)	0	(12,345)	0.00	0	(15,396)	0	(15,396)
DP 555 - Additional Vacancy Savings	0.00	0	(33,706)	0	(33,706)	0.00	0	(33,863)	0	(33,863)
Total	2.00	\$0	\$358,159	\$0	\$358,159	2.00	\$0	\$315,720	\$0	\$315,720

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

DP 4 - Software Modernization Project (REDDI) (BIEN) -

The legislature adopted annual ongoing licensing fee authority for the REDDI system. In FY 2024, the request includes implementation costs and licensing fees. The cost in FY 2025 is the ongoing licensing fee for the system.

DP 7 - IT Systems Administrator 2 -

The legislature adopted 1.00 FTE for an IT systems administrator 2. The new position will be focused full-time on REDDI.

DP 9 - Lawyer 2 -

The legislature adopted 1.00 FTE for a lawyer position. The attorney is requested for the review of regulatory documents, drafting of Commission orders, contract review, and litigation of contested cases on appeal.

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 555 - Additional Vacancy Savings -

The legislature adopted an additional 1.0% vacancy savings.

Agency Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Agency Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	54,246,508	64,545,033	10,298,525	18.98 %
Operating Expenses	24,660,991	28,467,320	3,806,329	15.43 %
Equipment & Intangible Assets	0	100,000	100,000	0.00 %
Total Expenditures	\$78,907,499	\$93,112,353	\$14,204,854	18.00 %
General Fund	78,907,499	93,112,353	14,204,854	18.00 %
Total Funds	\$78,907,499	\$93,112,353	\$14,204,854	18.00 %
Total Ongoing	\$78,907,499	\$90,619,747	\$11,712,248	14.84 %
Total OTO	\$0	\$2,492,606	\$2,492,606	100.00 %

Agency Description

The mission of the statewide public defender system is to provide effective professional legal services with equal access to quality client-centered representation.

Agency Highlights

Office of State Public Defender Major Budget Highlights
<p>The legislature adopted the 2025 biennium budget for the Office of State Public Defender at 18.0% or \$14.2 million higher than the 2023 biennium. Significant changes adopted by the legislature include:</p> <ul style="list-style-type: none"> • \$7.5 million for statewide present law adjustments to personal services, fixed costs, and inflation with \$6.2 million for personal service increases • \$1.9 million for the addition of 8.00 FTE attorney positions • \$1.5 million to continue services on case backlogs in the Yellowstone County area • \$1.1 million of lease cost increases • \$880,000 in general fund resulting from the passage of other legislation • \$600,000 for increases in contracted services • \$450,000 for information technology purchases, upgrades, and maintenance
NOTE:
<p>The agency's budget for the 2023 biennium in the tables above is overstated by \$1.0 million due to an accounting error which recorded a fiscal transfer in both FY 2022 and FY 2023. The accurate 2025 biennium increase is 19.4% or \$15.2 million.</p>

Agency Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Agency Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	302.44	302.44	310.44	310.44
Personal Services	25,993,463	26,046,737	28,199,771	32,186,621	32,358,412
Operating Expenses	13,158,852	13,408,861	11,252,130	14,155,253	14,312,067
Equipment & Intangible Assets	0	0	0	50,000	50,000
Total Expenditures	\$39,152,315	\$39,455,598	\$39,451,901	\$46,391,874	\$46,720,479
General Fund	39,152,315	39,455,598	39,451,901	46,391,874	46,720,479
Total Funds	\$39,152,315	\$39,455,598	\$39,451,901	\$46,391,874	\$46,720,479
Total Ongoing	\$39,152,315	\$39,455,598	\$39,451,901	\$45,145,571	\$45,474,176
Total OTO	\$0	\$0	\$0	\$1,246,303	\$1,246,303

Summary of Legislative Action

The 2025 biennium budget for the Office of State Public Defender is an increase of 19.4% or nearly \$15.2 million when compared to the FY 2023 base budget appropriation. Important budgetary initiatives adopted by the legislature in addition to statewide present law adjustments include:

- \$1.9 million for the addition of 8.00 FTE attorney positions in the Public Defender Division to help reduce current caseload and reduce the reliance on contracted attorney services which have a higher associated cost. Five of these attorney positions cannot be utilized without the OPD first requiring all management personnel with a BAR license to accept 25% of a typical caseload. This restriction does not include the director or division administrators, some of which are exempt from taking on caseloads according to statute
- \$1.5 million to continue addressing the case backlog in the Yellowstone County area by raising contracting rates and supporting additional contracted solutions which was started with ARPA federal funding in the 2023 biennium
- \$1.1 million of lease cost increases associated with multiple different OPD locations across the state. The legislature is interested in whether or not OPD can consolidate into fewer office locations in the future
- \$600,000 in biennial general fund for increases in contracted services. Appropriations are evenly split between the Public Defender Division and the Conflict Defender Division with the restriction that the OPD will not assign contracted attorneys for cases seeking a death penalty before first attempting to use internal staff
- \$350,000 was provided by the legislature to enhance development and implementation of a new case management system. Improvements were started during the 2021 biennium but not completed in full due to a lack of available appropriations
- \$150,00 to hold annual meetings
- \$100,000 for the OPD to utilize a consistent computer hardware replacement schedule based on employee retention

Funding

The following table shows adopted agency funding for all sources of authority.

Total Office of State Public Defender Funding by Source of Authority 2025 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	90,619,747	2,492,606	0	0	93,112,353	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	\$90,619,747	\$2,492,606	\$0	\$0	\$93,112,353	
Percent - Total All Sources	97.32 %	2.68 %	0.00 %	0.00 %		

The OPD budget is funded exclusively with general fund. The agency has no proprietary programs or statutory appropriations.

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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	39,451,901	39,451,901	78,903,802	84.74 %	39,451,901	39,451,901	78,903,802	84.74 %
SWPL Adjustments	3,707,507	3,939,748	7,647,255	8.21 %	3,707,507	3,939,748	7,647,255	8.21 %
PL Adjustments	747,136	823,916	1,571,052	1.69 %	747,136	823,916	1,571,052	1.69 %
New Proposals	2,485,330	2,504,914	4,990,244	5.36 %	2,485,330	2,504,914	4,990,244	5.36 %
Total Budget	\$46,391,874	\$46,720,479	\$93,112,353		\$46,391,874	\$46,720,479	\$93,112,353	

Other Legislation

HB 3 - This bill provides \$4.5 million in supplemental appropriations to the Conflict Defender Division for FY 2023. This supplemental is needed due to high contracted attorney services resulting from position vacancies and to support costs for capital cases in the current biennium.

HB 16 - This bill provides \$300,000 to the Office of State Public Defender for implementation of HB 16. This bill increases the statutory timeframe for holding an Emergency Protective Services (EPS) hearing from 3 days to 5 days. This appropriation will be ongoing for the 2027 biennium.

HB 424 - This bill provides \$2.5 million in supplemental appropriations to the Office of State Public Defender for FY 2023. Drivers behind this second supplemental include paying down contractor costs that accumulated during COVID-19, retirement payouts in FY 2023, and the inability to fully access restricted authority.

Executive Budget Comparison

The following table compares the legislative budget for the biennium to the budget requested by the Governor by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Approp. Fiscal 2023	Executive Budget Fiscal 2024	Legislative Budget Fiscal 2024	Leg — Exec. Difference Fiscal 2024	Executive Budget Fiscal 2025	Legislative Budget Fiscal 2025	Leg — Exec. Difference Fiscal 2025	Biennium Difference Fiscal 24-25
FTE	302.44	322.44	310.44	(12.00)	322.44	310.44	(12.00)	(12.00)
Personal Services	28,199,771	33,548,026	32,186,621	(1,361,405)	33,729,539	32,358,412	(1,371,127)	(2,732,532)
Operating Expenses	11,252,130	14,600,497	14,155,253	(445,244)	14,952,386	14,312,067	(640,319)	(1,085,563)
Equipment & Intangible Assets	0	75,000	50,000	(25,000)	40,000	50,000	10,000	(15,000)
Debt Service	0	0	0	0	0	0	0	0
Total Costs	\$39,451,901	\$48,223,523	\$46,391,874	(\$1,831,649)	\$48,721,925	\$46,720,479	(\$2,001,446)	(\$3,833,095)
General Fund	39,451,901	48,223,523	46,391,874	(1,831,649)	48,721,925	46,720,479	(2,001,446)	(3,833,095)
Federal Spec. Rev. Funds	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total Funds	\$39,451,901	\$48,223,523	\$46,391,874	(\$1,831,649)	\$48,721,925	\$46,720,479	(\$2,001,446)	(\$3,833,095)
Total Ongoing	\$39,451,901	\$48,048,523	\$45,145,571	(\$2,902,952)	\$48,546,925	\$45,474,176	(\$3,072,749)	(\$5,975,701)
Total OTO	\$0	\$175,000	\$1,246,303	\$1,071,303	\$175,000	\$1,246,303	\$1,071,303	\$2,142,606

The 2025 biennium budget for the Office of State Public Defender adopted by the legislature is approximately \$3.8 million below the budget requested by the executive. This difference includes ongoing appropriations that are \$6.0 million lower and one-time-only appropriations that are \$2.1 million higher than the executive's request. These differences include:

- (\$2.7 million) – The legislature adopted funding for 8.00 of the 20.00 new FTE requested in order to reduce caseload and reliance on contractors
 - The executive requested 11 attorneys, 6 criminal investigators, 2 administrative assistants, and a project manager
 - The legislature funded 8 of the attorney positions
- (\$1.5 million) – The legislature did not adopt a contingent rapid response funding request intended to provide flexibility to the agency
- (\$840,000) – The legislature adopted restricted and one-time-only contracted defender rate increases at a portion of the executive's request
- (\$250,000) – The legislature adopted one-time-only funding for annual meetings but did not adopt a training budget
- (\$200,000) – The legislature adopted a reduction to the statewide present law adjustment for inflation
- (\$15,000) – The legislature adopted a reduced budget for a computer replacement cycle
- \$0 – The legislature did not adopt the transition to the new state management training center but left the funding in the budget
- \$5,107 – The legislature adopted an increase for the costs of the state accounting, budgeting, and human resources system (SABHRS) budget
- \$660,000 – The legislature adopted lease increases

Language and Statutory Authority

The legislature adopted the following language in HB 2:

"The Central Services Division includes a one-time-only reduction in FY 2024 and FY 2025 for a suspension of insurance premium payments to the Risk Management and Tort Defense Division's proprietary fund."

"It is the intent of the Legislature that the appropriations for Additional Authority for Contracted Defenders will not be utilized for contractors eligible and qualified to provide defendants with adequate counsel in cases in which the state has indicated it will seek the death penalty without attempting to fully staff cases with employees."

"The appropriation for Funding to Reduce Necessary Attorney Gap is restricted by the requirement that all management personnel who are members of the Montana Bar, except the director and division administrators, perform at least 25% of the average caseload of line attorneys."

"The Conflict Defender Division includes an increase in general fund of \$87,533 in FY 2024 and \$112,620 in FY 2025. The increase was provided to offset inflationary impacts. The Office of the State Public Defender may allocate this increase in funding among programs when developing 2025 biennium operating plans."

Additionally, the legislature adopted the following HB 2 language, contingent on the passage and approval of other bills, and the adjustments to HB 2 appropriations are included as decision packages and incorporated in the tables in the fiscal report:

"If HB 37 is passed and approved and SB 148 is not passed and approved, the Office of State Public Defender is increased by \$618,341 general fund in FY 2024 and \$618,341 general fund in FY 2025. If SB 148 is passed and approved and HB 37 is not passed and approved, the Office of State Public Defender is increased by \$407,590 general fund in FY 2024 and \$407,590 general fund in FY 2025. If both HB 37 and SB 148 are passed and approved, the Office of State Public Defender is increased by \$618,341 general fund in FY 2024 and \$618,341 general fund in FY 2025."

"If HB 38 is passed and approved, the Office of State Public Defender is increased by \$19,135 general fund in FY 2024 and \$19,135 general fund in FY 2025."

"If HB 111 is passed and approved, the Office of State Public Defender is reduced by \$19,620 general fund in FY 2024 and \$19,620 general fund in FY 2025."

"If HB 112 is passed and approved, the Office of State Public Defender is increased by \$3,692 general fund in FY 2024 and \$3,692 general fund in FY 2025."

"If HB 132 is passed and approved by the Legislature, Legislative Audit is void."

"If HB 555 is passed and approved, the Office of State Public Defender is increased by \$31,428 general fund in FY 2024."

"If SB 11 is passed and approved, the Office of State Public Defender is increased by \$1,250 general fund in FY 2024 and \$1,250 general fund in FY 2025."

"If SB 13 is passed and approved, the Office of State Public Defender is increased by \$10,000 general fund in FY 2024 and \$10,000 general fund in FY 2025."

"If SB 19 is passed and approved, the Office of State Public Defender is increased by \$95,850 general fund in FY 2024 and \$95,850 general fund in FY 2025."

"If SB 469 is passed and approved, the Office of State Public Defender is increased by \$262,416 general fund in FY 2024 and \$262,416 general fund in FY 2025."

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	41,079,621	49,737,880	8,658,259	21.08 %
Operating Expenses	7,259,522	8,358,764	1,099,242	15.14 %
Total Expenditures	\$48,339,143	\$58,096,644	\$9,757,501	20.19 %
General Fund	48,339,143	58,096,644	9,757,501	20.19 %
Total Funds	\$48,339,143	\$58,096,644	\$9,757,501	20.19 %
Total Ongoing	\$48,339,143	\$55,946,644	\$7,607,501	15.74 %
Total OTO	\$0	\$2,150,000	\$2,150,000	100.00 %

Program Description

The Public Defender Division oversees services to qualifying clients by providing effective assistance of counsel to indigent criminal defendants and other persons in certain civil cases who are entitled by law to assistance of counsel.

Program Highlights

Public Defender Division Major Budget Highlights
<p>The 2025 biennium budget adopted by the legislature for the Public Defender Division is nearly 20.2% or \$9.8 million higher than the 2023 biennium. Significant biennial proposals include:</p> <ul style="list-style-type: none"> • \$4.9 million for statewide present law adjustments to personal services • \$1.9 million for 8.00 FTE attorney positions • \$1.5 million to continue backlog reduction • \$350,000 to enhance the current case management system • \$300,000 in restricted biennial general fund for increases in contracted services
NOTE:
<p>The division's budget for the 2023 biennium in the tables above is overstated by \$414,000 due to an accounting error which recorded a fiscal transfer in both FY 2022 and FY 2023. The accurate 2025 biennium increase is 21.2% or \$10.2 million.</p>

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	231.94	231.94	239.94	239.94
Personal Services	19,649,587	19,650,457	21,429,164	24,802,199	24,935,681
Operating Expenses	4,220,041	4,287,216	2,972,306	4,182,307	4,176,457
Total Expenditures	\$23,869,628	\$23,937,673	\$24,401,470	\$28,984,506	\$29,112,138
General Fund	23,869,628	23,937,673	24,401,470	28,984,506	29,112,138
Total Funds	\$23,869,628	\$23,937,673	\$24,401,470	\$28,984,506	\$29,112,138
Total Ongoing	\$23,869,628	\$23,937,673	\$24,401,470	\$27,909,506	\$28,037,138
Total OTO	\$0	\$0	\$0	\$1,075,000	\$1,075,000

Funding

The following table shows proposed agency funding for all sources of authority.

Office of State Public Defender, 01-Public Defender Division Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	58,096,644	0	0	58,096,644	100.00 %
State Special Total	\$0	\$0	\$0	\$0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$58,096,644	\$0	\$0	\$58,096,644	

The Public Defender Division is funded exclusively with 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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	24,401,470	24,401,470	48,802,940	84.00 %	24,401,470	24,401,470	48,802,940	84.00 %
SWPL Adjustments	2,444,170	2,573,348	5,017,518	8.64 %	2,444,170	2,573,348	5,017,518	8.64 %
PL Adjustments	175,000	175,000	350,000	0.60 %	175,000	175,000	350,000	0.60 %
New Proposals	1,963,866	1,962,320	3,926,186	6.76 %	1,963,866	1,962,320	3,926,186	6.76 %
Total Budget	\$28,984,506	\$29,112,138	\$58,096,644		\$28,984,506	\$29,112,138	\$58,096,644	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----						-----Fiscal 2025-----				
FTE	General Fund	State Special	Federal Special	Total Funds		FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services										
0.00	2,405,082	0	0	2,405,082		0.00	2,531,880	0	0	2,531,880
DP 3 - Inflation Deflation										
0.00	39,088	0	0	39,088		0.00	41,468	0	0	41,468
DP 13 - Extend and Enhance OPD Case Mgmt System (BIEN/OTO)										
0.00	175,000	0	0	175,000		0.00	175,000	0	0	175,000
Grand Total All Present Law Adjustments										
0.00	\$2,619,170	\$0	\$0	\$2,619,170		0.00	\$2,748,348	\$0	\$0	\$2,748,348

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 13 - Extend and Enhance OPD Case Mgmt System (BIEN/OTO) -

The legislature adopted one-time-only funding to enhance and extend the life of the current case management system. This appropriation will provide the needed resources to accomplish the agency goals during the build and implementation of the upgrades.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
Fiscal 2024					Fiscal 2025					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 7 - Yellowstone County - Continue Funding (RST/BIEN/OTO)	0.00	750,000	0	0	750,000	0.00	750,000	0	0	750,000
DP 14 - Additional Authority for Contracted Defenders (RST/BIEN/OTO)	0.00	150,000	0	0	150,000	0.00	150,000	0	0	150,000
DP 90 - Funding to Reduce Necessary Attorney Gap (RST)	5.00	604,971	0	0	604,971	5.00	609,148	0	0	609,148
DP 91 - Attorney Increases	3.00	362,982	0	0	362,982	3.00	365,489	0	0	365,489
DP 333 - Adjustment to Inflation	0.00	(32,764)	0	0	(32,764)	0.00	(40,994)	0	0	(40,994)
DP 1400 - HB 38	0.00	19,135	0	0	19,135	0.00	19,135	0	0	19,135
DP 1402 - HB 112	0.00	3,692	0	0	3,692	0.00	3,692	0	0	3,692
DP 1405 - SB 13	0.00	10,000	0	0	10,000	0.00	10,000	0	0	10,000
DP 1406 - SB 19	0.00	95,850	0	0	95,850	0.00	95,850	0	0	95,850
Total	8.00	\$1,963,866	\$0	\$0	\$1,963,866	8.00	\$1,962,320	\$0	\$0	\$1,962,320

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

DP 7 - Yellowstone County - Continue Funding (RST/BIEN/OTO) -

The legislature adopted one-time-only funding to continue legal coverage in Billings and Yellowstone County to address the backlog in cases. This request will backfill funding from the FY 2022-2023 ARPA dollars targeted for the same purpose. This appropriation is restricted to its designated use.

DP 14 - Additional Authority for Contracted Defenders (RST/BIEN/OTO) -

The legislature adopted a restricted one-time-only adjustment to contracted services. The agency is required to ensure that the appropriation will not be utilized for contractors eligible and qualified for death penalty cases without first making use of qualified and available staff employees.

DP 90 - Funding to Reduce Necessary Attorney Gap (RST) -

The legislature adopted an increase of 5.00 FTE. The staffing increase is intended to manage current caseloads and case weights and reduce reliance on contract attorneys. Positions include five attorneys. This appropriation is restricted by the requirement that all management personnel who are members of the Montana Bar, except the director and division administrators, perform at least 25% of a typical caseload for line attorneys.

DP 91 - Attorney Increases -

The legislature adopted the addition of 3.00 FTE as attorney positions.

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 1400 - HB 38 -

The legislature adopted contingency language to increase appropriations if HB 38 was passed and approved, and this decision package implements this language. HB 38 makes theft of a light vehicle a felony crime and increases the fine amount for light vehicle theft from \$10,000 to \$50,000. This change will lead to increased attorney time for the Office of State Public Defender associated with defending a felony theft versus a misdemeanor theft.

DP 1402 - HB 112 -

The legislature adopted contingency language to increase appropriations if HB 112 was passed and approved, and this decision package implements this language. HB 112 increases terms of incarceration and fines pertaining to human trafficking. Changing fines will have no impact on the Office of State Public Defender, but a longer incarceration penalty of 100 years would result in an increased number of jury trials requiring additional contracted public defenders.

DP 1405 - SB 13 -

The legislature adopted contingency language to increase appropriations if SB 13 was passed and approved, and this decision package implements this language. SB 13 allows for oral fluid to be used to test for the presence of drugs. A new form of testing for establishing intoxication levels will need to be vetted by the courts for reliability and admissibility. The Office of State Public Defender receives additional authority to hire scientific experts to litigate the new oral fluid methodology until this new process is vetted.

DP 1406 - SB 19 -

The legislature adopted contingency language to increase appropriations if SB 19 was passed and approved and this decision package implements this language. SB 19 revises the sentencing laws for disorderly conduct by adding new jailable obstruction charges for first offenses resulting in an increase to caseload.

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison					
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change	
Personal Services	3,400,112	3,766,462	366,350	10.77 %	
Operating Expenses	1,488,404	1,532,513	44,109	2.96 %	
Total Expenditures	\$4,888,516	\$5,298,975	\$410,459	8.40 %	
General Fund	4,888,516	5,298,975	410,459	8.40 %	
Total Funds	\$4,888,516	\$5,298,975	\$410,459	8.40 %	
Total Ongoing	\$4,888,516	\$5,298,975	\$410,459	8.40 %	
Total OTO	\$0	\$0	\$0	0.00 %	

Program Description

The Appellate Defender Division provides appellate services to qualifying clients and practices almost exclusively before the Montana Supreme Court and the United States Supreme Court. Most of the workforce is comprised of attorneys providing legal services. Legal assistants comprise the remaining portion of the workforce.

Program Highlights

Appellate Defender Division Major Budget Highlights
The legislature adopted a 2025 biennium budget for the Appellate Defender Division that is 8.4% or \$410,000 higher than the 2023 biennium budget. Increases are entirely attributed to statewide present law adjustments to personal services and inflation.
NOTE:
The division's budget for the 2023 biennium in the tables above is overstated by \$117,000 due to an accounting error which recorded a fiscal transfer in both FY 2022 and FY 2023. The accurate 2025 biennium increase is 11.1% or \$527,000.

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	16.50	16.50	16.50	16.50
Personal Services	1,678,607	1,726,850	1,673,262	1,876,896	1,889,566
Operating Expenses	721,920	751,644	736,760	762,761	769,752
Total Expenditures	\$2,400,527	\$2,478,494	\$2,410,022	\$2,639,657	\$2,659,318
General Fund	2,400,527	2,478,494	2,410,022	2,639,657	2,659,318
Total Funds	\$2,400,527	\$2,478,494	\$2,410,022	\$2,639,657	\$2,659,318
Total Ongoing	\$2,400,527	\$2,478,494	\$2,410,022	\$2,639,657	\$2,659,318
Total OTO	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows proposed agency funding for all sources of authority.

Office of State Public Defender, 02-Appellate Defender Division Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	5,298,975	0	0	5,298,975	100.00 %
State Special Total	\$0	\$0	\$0	\$0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$5,298,975	\$0	\$0	\$5,298,975	

The Appellate Defender Division is funded exclusively with 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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	2,410,022	2,410,022	4,820,044	90.96 %	2,410,022	2,410,022	4,820,044	90.96 %
SWPL Adjustments	241,146	264,081	505,227	9.53 %	241,146	264,081	505,227	9.53 %
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	(11,511)	(14,785)	(26,296)	(0.50)%	(11,511)	(14,785)	(26,296)	(0.50)%
Total Budget	\$2,639,657	\$2,659,318	\$5,298,975		\$2,639,657	\$2,659,318	\$5,298,975	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds		FTE	General Fund	State Special	Total Funds
DP 1 - Personal Services	0.00	203,634	0	0	203,634	0.00	216,304	0	0	216,304
DP 3 - Inflation Deflation	0.00	37,512	0	0	37,512	0.00	47,777	0	0	47,777
Grand Total All Present Law Adjustments	0.00	\$241,146	\$0	\$0	\$241,146	0.00	\$264,081	\$0	\$0	\$264,081

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
-----Fiscal 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds		FTE	General Fund	State Special	Total Funds
DP 333 - Adjustment to Inflation	0.00	(11,511)	0	0	(11,511)	0.00	(14,785)	0	0	(14,785)
Total	0.00	(\$11,511)	\$0	\$0	(\$11,511)	0.00	(\$14,785)	\$0	\$0	(\$14,785)

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

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	5,759,050	6,361,653	602,603	10.46 %
Operating Expenses	12,444,599	13,888,422	1,443,823	11.60 %
Total Expenditures	\$18,203,649	\$20,250,075	\$2,046,426	11.24 %
General Fund	18,203,649	20,250,075	2,046,426	11.24 %
Total Funds	\$18,203,649	\$20,250,075	\$2,046,426	11.24 %
Total Ongoing	\$18,203,649	\$19,950,075	\$1,746,426	9.59 %
Total OTO	\$0	\$300,000	\$300,000	100.00 %

Program Description

The Conflict Defender Division oversees services to qualifying clients by providing effective assistance of counsel to indigent criminal defendants and other persons in certain civil cases. This division represents only those clients in circumstances where, because of a conflict of interest, the Public Defender Division is unable to provide representation.

Program Highlights

Conflict Defender Division Major Budget Highlights
<p>The Conflict Defender Division's 2025 biennium budget adopted by the legislature is \$2.0 million or 11.2% higher than the 2023 biennium. Significant biennial proposals include:</p> <ul style="list-style-type: none"> • \$815,000 general fund for legal representation for children involved with child abuse and neglect cases as per SB 14 • \$737,000 in statewide present law adjustments to inflation partially offset by reductions of \$237,000 in personal services • \$300,000 in restricted biennial general fund for increases in contracted services
NOTE:
<p>The division's budget for the 2023 biennium in the tables above is overstated by \$33,000 due to an accounting error which recorded a fiscal transfer in both FY 2022 and FY 2023. The accurate 2025 biennium increase is 11.4% or \$2.1 million.</p>

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	29.50	29.50	29.50	29.50
Personal Services	2,453,745	2,459,588	3,299,462	3,173,298	3,188,355
Operating Expenses	6,371,896	6,426,570	6,018,029	6,894,023	6,994,399
Total Expenditures	\$8,825,641	\$8,886,158	\$9,317,491	\$10,067,321	\$10,182,754
General Fund	8,825,641	8,886,158	9,317,491	10,067,321	10,182,754
Total Funds	\$8,825,641	\$8,886,158	\$9,317,491	\$10,067,321	\$10,182,754
Total Ongoing	\$8,825,641	\$8,886,158	\$9,317,491	\$9,917,321	\$10,032,754
Total OTO	\$0	\$0	\$0	\$150,000	\$150,000

Funding

The following table shows proposed agency funding for all sources of authority.

Office of State Public Defender, 03-Conflict Defender Division Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	20,250,075	0	0	20,250,075	100.00 %
State Special Total	\$0	\$0	\$0	\$0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$20,250,075	\$0	\$0	\$20,250,075	

The Conflict Defender Division is funded exclusively with 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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	9,317,491	9,317,491	18,634,982	92.02 %	9,317,491	9,317,491	18,634,982	92.02 %
SWPL Adjustments	186,196	303,143	489,339	2.42 %	186,196	303,143	489,339	2.42 %
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	563,634	562,120	1,125,754	5.56 %	563,634	562,120	1,125,754	5.56 %
Total Budget	\$10,067,321	\$10,182,754	\$20,250,075		\$10,067,321	\$10,182,754	\$20,250,075	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds		FTE	General Fund	State Special	Total Funds
DP 1 - Personal Services	0.00	(126,164)	0	0	(126,164)	0.00	(111,107)	0	0	(111,107)
DP 3 - Inflation Deflation	0.00	312,360	0	0	312,360	0.00	414,250	0	0	414,250
Grand Total All Present Law Adjustments	0.00	\$186,196	\$0	\$0	\$186,196	0.00	\$303,143	\$0	\$0	\$303,143

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
-----Fiscal 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds		FTE	General Fund	State Special	Total Funds
DP 14 - Additional Authority for Contracted Defenders (RST/BIEN/OTO)	0.00	150,000	0	0	150,000	0.00	150,000	0	0	150,000
DP 333 - Adjustment to Inflation	0.00	(81,489)	0	0	(81,489)	0.00	(108,090)	0	0	(108,090)
DP 1407 - SB 148	0.00	407,590	0	0	407,590	0.00	407,590	0	0	407,590
DP 3333 - Additional Adjustment to Inflation	0.00	87,533	0	0	87,533	0.00	112,620	0	0	112,620
Total	0.00	\$563,634	\$0	\$0	\$563,634	0.00	\$562,120	\$0	\$0	\$562,120

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

DP 14 - Additional Authority for Contracted Defenders (RST/BIEN/OTO) -

The legislature adopted a restricted one-time-only adjustment to contracted services. The agency is required to ensure that the appropriation will not be utilized for contractors eligible and qualified for death penalty cases without first making use of qualified and available staff employees.

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 1407 - SB 148 -

The legislature adopted contingency language to increase appropriations if SB 148 was passed and approved and this decision package implements this language. SB 148 requires legal representation for children involved with child abuse and neglect cases which are eligible for federal Title IV-E reimbursement. The Office of State Public Defender currently assigns in-house attorneys to represent parents, and thus, additional child appointments required in the bill would be assigned to contracted attorneys.

DP 3333 - Additional Adjustment to Inflation -

The legislature adopted an additional adjustment to inflation included in DP 3.

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	4,007,725	4,679,038	671,313	16.75 %
Operating Expenses	3,468,466	4,687,621	1,219,155	35.15 %
Equipment & Intangible Assets	0	100,000	100,000	0.00 %
Total Expenditures	\$7,476,191	\$9,466,659	\$1,990,468	26.62 %
General Fund	7,476,191	9,466,659	1,990,468	26.62 %
Total Funds	\$7,476,191	\$9,466,659	\$1,990,468	26.62 %
Total Ongoing	\$7,476,191	\$9,424,053	\$1,947,862	26.05 %
Total OTO	\$0	\$42,606	\$42,606	100.00 %

Program Description

Central Services Division provides management of non-legal services, i.e., accounting, budgeting, IT, payroll, contracting, quality, and performance controls to all programs. The oversight of the eligibility determination process, including verification of all hardship cases, is also a responsibility of this division.

Program Highlights

Central Services Division Major Budget Highlights
<p>The 2025 biennium budget adopted by the legislature for the Central Services Division is nearly 26.6% or \$2.0 million higher than the 2023 biennium. Increases include:</p> <ul style="list-style-type: none"> • Statewide present law adjustments of \$1.5 million <ul style="list-style-type: none"> ◦ \$1.1 million for personal service adjustments ◦ \$210,000 for fixed costs ◦ \$190,000 for inflation adjustments • \$1.1 million for lease increases • \$150,000 to fund annual meetings • \$100,000 to establish an ongoing computer replacement schedule
NOTE:
<p>The division's budget for the 2023 biennium in the tables above is overstated by \$394,000 due to an accounting error which recorded a fiscal transfer in both FY 2022 and FY 2023. The accurate 2025 biennium increase is 33.7% or \$2.4 million.</p>

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	24.50	24.50	24.50	24.50
Personal Services	2,211,524	2,209,842	1,797,883	2,334,228	2,344,810
Operating Expenses	1,844,995	1,943,431	1,525,035	2,316,162	2,371,459
Equipment & Intangible Assets	0	0	0	50,000	50,000
Total Expenditures	\$4,056,519	\$4,153,273	\$3,322,918	\$4,700,390	\$4,766,269
General Fund	4,056,519	4,153,273	3,322,918	4,700,390	4,766,269
Total Funds	\$4,056,519	\$4,153,273	\$3,322,918	\$4,700,390	\$4,766,269
Total Ongoing	\$4,056,519	\$4,153,273	\$3,322,918	\$4,679,087	\$4,744,966
Total OTO	\$0	\$0	\$0	\$21,303	\$21,303

Funding

The following table shows proposed agency funding for all sources of authority.

Office of State Public Defender, 04-Central Services Division Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	9,466,659	0	0	9,466,659	100.00 %
State Special Total	\$0	\$0	\$0	\$0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$9,466,659	\$0	\$0	\$9,466,659	

The Central Services Division is funded exclusively with 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.

-----General Fund-----					-----Total Funds-----			
Budget Item	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	3,322,918	3,322,918	6,645,836	70.20 %	3,322,918	3,322,918	6,645,836	70.20 %
SWPL Adjustments	835,995	799,176	1,635,171	17.27 %	835,995	799,176	1,635,171	17.27 %
PL Adjustments	572,136	648,916	1,221,052	12.90 %	572,136	648,916	1,221,052	12.90 %
New Proposals	(30,659)	(4,741)	(35,400)	(0.37)%	(30,659)	(4,741)	(35,400)	(0.37)%
Total Budget	\$4,700,390	\$4,766,269	\$9,466,659		\$4,700,390	\$4,766,269	\$9,466,659	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----						-----Fiscal 2025-----				
FTE	General Fund	State Special	Federal Special	Total Funds		FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services										
0.00	555,965	0	0	555,965		0.00	566,547	0	0	566,547
DP 2 - Fixed Costs										
0.00	143,110	0	0	143,110		0.00	67,282	0	0	67,282
DP 3 - Inflation Deflation										
0.00	136,920	0	0	136,920		0.00	165,347	0	0	165,347
DP 6 - Consistent Computer Hardware Replacement Funding (RST/OTO)										
0.00	50,000	0	0	50,000		0.00	50,000	0	0	50,000
DP 11 - Lease Increase for PLA										
0.00	519,044	0	0	519,044		0.00	596,901	0	0	596,901
DP 20 - SABHRS Rate Adjustment										
0.00	3,092	0	0	3,092		0.00	2,015	0	0	2,015
DP 222 - RMTD Adjustment										
0.00	103,697	0	0	103,697		0.00	103,697	0	0	103,697
DP 223 - RMTD Adjustment (OTO)										
0.00	(103,697)	0	0	(103,697)		0.00	(103,697)	0	0	(103,697)
Grand Total All Present Law Adjustments										
0.00	\$1,408,131	\$0	\$0	\$1,408,131		0.00	\$1,448,092	\$0	\$0	\$1,448,092

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments to provide the funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 6 - Consistent Computer Hardware Replacement Funding (RST/OTO) -

The legislature adopted one-time-only restricted adjustments to establish a computer replacement cycle in the Office of Public Defender. This appropriation is restricted to its designated use.

DP 11 - Lease Increase for PLA -

The legislature adopted adjustments for the costs of office leases.

DP 20 - SABHRS Rate Adjustment -

The legislature adopted an increase to proposed SABHRS rates.

DP 222 - RMTD Adjustment -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package eliminates the reduction included in DP 2. This change is necessary to designate the reduction as one-time-only in the budgeting system.

DP 223 - RMTD Adjustment (OTO) -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package designates the reduction as one-time-only.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
-----Fiscal 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 5 - Annual Meetings (RST/OTO)	0.00	75,000	0	0	75,000	0.00	75,000	0	0	75,000
DP 333 - Adjustment to Inflation	0.00	(49,302)	0	0	(49,302)	0.00	(61,371)	0	0	(61,371)
DP 1401 - HB 111	0.00	(19,620)	0	0	(19,620)	0.00	(19,620)	0	0	(19,620)
DP 1403 - HB 555	0.00	31,428	0	0	31,428	0.00	0	0	0	0
DP 1404 - SB 11	0.00	1,250	0	0	1,250	0.00	1,250	0	0	1,250
DP 1408 - HB 132	0.00	(69,415)	0	0	(69,415)	0.00	0	0	0	0
Total	0.00	(\$30,659)	\$0	\$0	(\$30,659)	0.00	(\$4,741)	\$0	\$0	(\$4,741)

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

DP 5 - Annual Meetings (RST/OTO) -

The legislature adopted a restricted one-time-only adjustment to fund annual meetings.

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 1401 - HB 111 -

The legislature adopted contingency language to decrease appropriations if HB 111 was passed and approved, and this decision package implements this language. HB 111 makes dependency and neglect (DN) and disabled and involuntary commitment (DI) cases automatically eligible for public defender services resulting in reduced assessment costs.

DP 1403 - HB 555 -

The legislature adopted contingency language to increase appropriations if HB 555 was passed and approved, and this decision package implements this language. HB 555 establishes specific standards for the qualification and training of attorneys providing public defender services to a child in an abuse and neglect case. The Office of State Public Defender estimates training is needed for 40 public defender attorneys and 100 contractors. Costs associated with training expenses qualify for federal Title IV-E reimbursement.

DP 1404 - SB 11 -

The legislature adopted contingency language to increase appropriations if SB 11 was passed and approved, and this decision package implements this language. SB 11 seeks the development of a criminal justice data warehouse to receive, store, secure, and maintain data from contributing entities. Additional resources are provided to the Office of State Public Defender to cover travel expenses.

DP 1408 - HB 132 -

The legislature adopted contingency language to reduce appropriations if HB 132 was passed and approved and this decision package implements this language. HB 132 modifies the timing of legislative audits, providing for a transition from biennial audits, to allowing the auditor to select agencies for auditing based on certain considerations.

Agency Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Agency Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	188,235,647	210,937,924	22,702,277	12.06 %
Operating Expenses	249,964,268	301,664,202	51,699,934	20.68 %
Equipment & Intangible Assets	673,515	1,091,404	417,889	62.05 %
Capital Outlay	41,546	41,546	0	0.00 %
Transfers	1,269,976	1,044,976	(225,000)	(17.72)%
Debt Service	1,920,576	2,142,106	221,530	11.53 %
Total Expenditures	\$442,105,528	\$516,922,158	\$74,816,630	16.92 %
General Fund	428,694,542	502,524,340	73,829,798	17.22 %
State/Other Special Rev. Funds	13,122,000	14,159,814	1,037,814	7.91 %
Proprietary Funds	288,986	238,004	(50,982)	(17.64)%
Total Funds	\$442,105,528	\$516,922,158	\$74,816,630	16.92 %
Total Ongoing	\$441,955,528	\$510,479,094	\$68,523,566	15.50 %
Total OTO	\$150,000	\$6,443,064	\$6,293,064	4,195.38 %

Agency Description

The Montana Department of Corrections provides services that impact every community in Big Sky Country. From assisting victims of crime; to providing support to offenders under supervision in Montana communities; to ensuring the incarcerated population is prepared to re-enter society successfully; the work of the department is wide and varied. The department aims to provide evidence-based programming in all aspects of our work as we move toward our goal of reducing recidivism and disrupting the cycle of incarceration.

Agency Highlights

**Department of Corrections
Major Budget Highlights**

The 2025 biennium budget adopted by the legislature for the Department of Corrections is 16.9% or \$74.8 million higher than the 2023 biennium. Significant changes include:

- \$30.9 million for general provider rate increases:
 - \$21.2 million in provider rate increases to contracted treatment and pre-release centers
 - \$9.7 million provider rate increases to contracted secure facilities
- \$17.7 million in statewide present law adjustments to personal services, fixed costs, and inflation
- \$6.1 million general fund for increased pay to correctional officers and \$800,000 for the Probation & Parole PAWS (performance adjusted wage scale) program per negotiated union agreements
- \$3.1 million general fund to increase capacity within community corrections providers
- \$2.7 million general fund to increase amounts paid to county detention centers based on actual costs as per HB 174
- \$2.5 million in contingent general fund for the purpose of paying correctional officers
- \$2.0 million general fund to transition offenders into the community from pre-release facilities
- \$1.7 million one-time-only general fund for 13.00 FTE related to various probation and parole functions

Agency Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Agency Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	1,282.17	1,282.17	1,293.67	1,293.67
Personal Services	88,375,589	90,258,016	97,977,631	105,200,297	105,737,627
Operating Expenses	121,413,990	125,792,662	124,171,606	147,722,607	153,941,595
Equipment & Intangible Assets	436,864	520,663	152,852	938,552	152,852
Capital Outlay	0	20,773	20,773	20,773	20,773
Transfers	711,234	772,488	497,488	522,488	522,488
Debt Service	1,425,120	1,459,290	461,286	1,071,053	1,071,053
Total Expenditures	\$212,362,797	\$218,823,892	\$223,281,636	\$255,475,770	\$261,446,388
General Fund	206,236,355	212,116,950	216,577,592	248,268,758	254,255,582
State/Other Special Rev. Funds	5,980,325	6,560,825	6,561,175	7,088,209	7,071,605
Proprietary Funds	146,117	146,117	142,869	118,803	119,201
Total Funds	\$212,362,797	\$218,823,892	\$223,281,636	\$255,475,770	\$261,446,388
Total Ongoing	\$212,287,797	\$218,748,892	\$223,206,636	\$251,935,849	\$258,543,245
Total OTO	\$75,000	\$75,000	\$75,000	\$3,539,921	\$2,903,143

Summary of Legislative Action

The 2025 biennium budget for the Department of Corrections is an increase of 15.8% or \$70.5 million when compared to the FY 2023 base budget appropriation. The main focus of the 2025 Legislature revolved around increasing capacity and provider rates paid to contracted secure facilities and community corrections providers. The increase in provider rates for the 2025 biennium is \$30.9 million and can be broken out in the following manner:

- \$21.2 million general fund for increased per diem rates paid to contracted community corrections and ETSS providers
 - \$15.1 million to all contracted facilities for general increases of approximately 6.0% in FY 2024 and 10.0% in FY 2025
 - \$6.1 million for increased per diem rates paid to contracted providers intended to cover employee pay increases of \$1.00 in FY 2024 and \$2.00 in FY 2025
- \$9.7 million general fund in provider rate increases to contracted secure facilities
 - \$5.7 million for the department to increase contracted rates paid to Core Civic for inmates housed at Crossroads Correctional facility. This increase is intended to cover a per diem rate of \$92.00 for the 2025 biennium
 - \$4.0 million to all contracted secure facilities for general increases of 6.0% in FY 2024 and 10.0% in FY 2025

The legislature also increased pay to correctional officers to combat high vacancies and employee turnover. The legislature adopted \$6.1 million general fund to cover hourly pay raises of \$2.00 for correctional officers staffing the MSP and \$3.00 for correctional officers at Pine Hills Correctional facility and the MWP. The increases equalize pay for officers across all locations. Additional personal service authority adopted by the legislature is for the Probation & Parole PAWS (performance adjusted wage scale) and amounts to \$800,000.

Other initiatives adopted by the legislature include:

- \$3.1 million general fund to increase capacity within community corrections providers by approximately 50 available beds across multiple community corrections providers
- \$2.5 million in general fund for the purpose of paying correctional officers should the need arise. This appropriation is contingent on all personal services appropriated for correctional officers being expended first
- \$2.0 million general fund to utilize existing methodology to transition suitable offenders into community beds from pre-release facilities freeing up space
- \$1.7 million one-time-only general fund to support 13.00 FTE for various functions related to probation and parole currently being used as modified FTE

Funding

The following table shows adopted agency funding for all sources of authority.

Total Department of Corrections Funding by Source of Authority 2025 Biennium Budget Request - Department of Corrections						
Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	496,040,461	6,483,879	0	5,140	502,529,480	90.77 %
State Special Total	14,145,983	13,831	0	1,492,043	15,651,857	2.83 %
Federal Special Total	0	0	0	0	0	0.00 %
Proprietary Total	292,650	(54,646)	35,194,440	0	35,432,444	6.40 %
Other Total	0	0	0	0	0	0.00 %
Total All Funds	\$510,479,094	\$6,443,064	\$35,194,440	\$1,497,183	\$553,613,781	
Percent - Total All Sources	92.21 %	1.16 %	6.36 %	0.27 %		

The Department of Corrections is primarily funded with general fund at approximately 97.2% of HB 2 funds. The remaining amount is comprised of state special revenues with a small portion coming from budgeted proprietary funds. Some of the largest state special revenue funds are:

- The canteen revolving fund, which receives revenue from the sale of items to inmates
- Probation and parole supervision fees collected from offenders under the supervision of the department
- Pine Hills donations, interest, and income funds coming mostly from interest and income collected on school trust lands

Additional proprietary funds are non-budgeted and support programs that provide services to other governmental entities or the public associated with Montana Correctional Enterprises.

There is nearly \$1.5 million in statutory appropriations over the 2025 biennium, which are used to support the Public Safety Division. This funding is for the Inmate Welfare Fund and is used to benefit inmates and their families per 53-1-109, MCA by providing supplies, materials, communications, travel, rent, and other expenses.

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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	216,502,592	216,502,592	433,005,184	86.17 %	223,206,636	223,206,636	446,413,272	86.36 %
SWPL Adjustments	8,860,481	11,041,632	19,902,113	3.96 %	8,929,096	11,109,074	20,038,170	3.88 %
PL Adjustments	2,644,153	2,326,575	4,970,728	0.99 %	2,644,226	2,326,620	4,970,846	0.96 %
New Proposals	20,261,532	24,384,783	44,646,315	8.88 %	20,695,812	24,804,058	45,499,870	8.80 %
Total Budget	\$248,268,758	\$254,255,582	\$502,524,340		\$255,475,770	\$261,446,388	\$516,922,158	

Other Legislation

HB 3 - This bill provides the Public Safety Division with supplemental appropriations of \$1,861,056 for FY 2023. This appropriation was provided to cover the following items:

- Begin implementing pay increases for correctional officers in FY 2023 that were adopted for the the 2025 biennium
- Budget shortfalls related to paying a 1.0% provider rate increase in FY 2023
- Pay for the Passages facility in Billings which requires a debt service coverage of 115.0%
- Reimbursing the MASC facility in Missoula based on actual costs

HB 5 - This bill appropriates money for capital development and major repair projects for the 2025 biennium. HB 5 appropriates nearly \$245.6 million to the Department of Corrections to make major repairs to existing structural components, increase capacity to hold inmates, and \$4.5 million in ongoing operation and maintenance costs that will be included in the base budget moving forward. For a full list of projects that received appropriations, please refer to the Section F fiscal report.

HB 10 - This bill revises laws related to financing state IT and appropriates money for information technology capital projects. The Department of Corrections is appropriated \$17,750,000 for a new offender management system to replace the existing OMIS system.

HB 817 - This bill provides for capital projects and includes an appropriation of \$3,942,000 each fiscal year of the 2025 biennium for the Department of Corrections to contract for 120 secure facility beds.

Executive Budget Comparison

The following table compares the legislative budget for the biennium to the budget requested by the Governor by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Approp. Fiscal 2023	Executive Budget Fiscal 2024	Legislative Budget Fiscal 2024	Leg — Exec. Difference Fiscal 2024	Executive Budget Fiscal 2025	Legislative Budget Fiscal 2025	Leg — Exec. Difference Fiscal 2025	Biennium Difference Fiscal 24-25
FTE	1,282.17	1,297.17	1,293.67	(3.50)	1,297.17	1,293.67	(3.50)	(3.50)
Personal Services	97,977,631	107,237,821	105,200,297	(2,037,524)	107,777,434	105,737,627	(2,039,807)	(4,077,331)
Operating Expenses	124,171,606	141,863,576	147,722,607	5,859,031	146,857,089	153,941,595	7,084,506	12,943,537
Equipment & Intangible Assets	152,852	2,652,852	938,552	(1,714,300)	152,852	152,852	0	(1,714,300)
Capital Outlay	20,773	20,773	20,773	0	20,773	20,773	0	0
Transfers	497,488	522,488	522,488	0	522,488	522,488	0	0
Debt Service	461,286	1,071,053	1,071,053	0	1,071,053	1,071,053	0	0
Total Costs	\$223,281,636	\$253,368,563	\$255,475,770	\$2,107,207	\$256,401,689	\$261,446,388	\$5,044,699	\$7,151,906
General Fund	216,577,592	246,095,904	248,268,758	2,172,854	249,130,203	254,255,582	5,125,379	7,298,233
State/other Special Rev. Funds	6,561,175	7,153,928	7,088,209	(65,719)	7,152,329	7,071,605	(80,724)	(146,443)
Federal Spec. Rev. Funds	0	0	0	0	0	0	0	0
Other	142,869	118,731	118,803	72	119,157	119,201	44	116
Total Funds	\$223,281,636	\$253,368,563	\$255,475,770	\$2,107,207	\$256,401,689	\$261,446,388	\$5,044,699	\$7,151,906
Total Ongoing	\$223,206,636	\$248,874,561	\$251,935,849	\$3,061,288	\$254,607,687	\$258,543,245	\$3,935,558	\$6,996,846
Total OTO	\$75,000	\$4,494,002	\$3,539,921	(\$954,081)	\$1,794,002	\$2,903,143	\$1,109,141	\$155,060

The legislature adopted ongoing appropriations that are nearly \$7.0 million higher than the executive's proposed budget for the 2025 biennium. Additionally, the legislature adopted one-time-only appropriations that are approximately \$155,000 higher than proposed biennium appropriations.

Major differences from the executive budget proposal include:

- (\$4.8 million) - The legislature did not adopt a request for overtime/differential pay to correctional officers
- (\$2.3 million) - The legislature adopted reductions to statewide present law adjustments for inflation
- (\$2.2 million) - The legislature did not adopt a request for the implementation of a transitional living program model and 1.00 FTE but did provide appropriations for transitioning offenders and freeing up pre-release bed spaces
- (\$1.3 million) - The legislature adopted an additional 1.0% vacancy savings
- (\$1.0 million) - The legislature adopted funding for specific vehicles, as outlined in HB 2 language, that make up a portion of the vehicle replacement request submitted by the executive
- (\$710,000) - The legislature adopted funding for specific items, as outlined in HB 2 language, that make up a portion of the equipment upgrade request submitted by the executive
- (\$600,000) - The legislature adopted additional general fund for increased costs related to medical, dental, and nursing services at 25% of the executive's request
- (\$580,000) - The legislature did not adopt general fund for contracting with licensed barbers/cosmetologists to provide haircuts in correctional facilities
- (\$560,000) - The legislature adopted the removal of 3.00 FTE that had been vacant for a period of two years or longer
- (\$380,000) - The legislature did not adopt increases for motor pool rates and new fixed costs
- (\$340,000) - The legislature adopted general fund, at a portion of the executive request, to move the payments of indigent kits and provisions for inmate telephone communications rates from the Inmate Welfare fund
- (\$200,000) - The legislature did not adopt a one-time-only request for contracted staff to aid in digital record conversion
- (\$150,000) - The legislature did not adopt funding to continue evidence based training and technical assistance
- (\$150,000) - The legislature did not adopt a maintenance position (1.00 FTE) for the newly acquired Acadia building
- (\$80,000) - The legislature adopted lease increases at 90% of the executive's request
- \$0 - The legislature adopted \$1.7 million general fund and 13.00 FTE for various probation and parole functions as one-time-only instead of ongoing
- \$7,800 - The legislature adopted an increase for the costs of the state accounting, budgeting, and human resources system (SABHRS) budget
- \$430,000 - The legislature adopted additional general fund and 2.00 FTE for the purpose of preparing inmates who are within 14 months of parole eligibility or discharge for release into the community
- \$2.0 million - The legislature adopted general fund for the department to expand non-residential capacity and reduce the use of pre-release space
- \$2.5 million - The legislature adopted additional general fund authority contingent upon the department first expending all its personal services appropriated for the purpose of paying correctional officers
- \$3.1 million - The legislature adopted general fund for the department to expand current capacity within community corrections providers by approximately 50 beds
- \$5.7 million - The legislature adopted general funding for the department to increase contracted rates paid to Core Civic for inmates housed at Crossroads Correctional facility. The increase is intended to cover a daily rate of \$92.00 per inmate
- \$6.1 million - The legislature adopted additional general fund to increase the per diem rates paid to contacted community corrections providers. The increase is intended to cover employee hourly pay increases of \$1.00 in FY 2024 and \$2.00 in FY 2025

Language and Statutory Authority

The legislature adopted the following language in HB 2:

"All appropriations for the Director's Office/Central Services Division, the Public Safety Division, and the Rehabilitations and Programs Division are biennial."

"The Director's Office/Central Services Division includes a one-time-only reduction in FY 2024 and FY 2025 for a suspension of insurance premium payments to the Risk Management and Tort Defense Division's proprietary fund."

"Appropriations for Equipment Upgrades may be used by the Department of Corrections only to purchase the following items: one mini excavator, one manlift, additional security cameras, one warehouse forklift, one emergency generator for the Montana State Prison high side kitchen, and one security utility vehicle."

"Appropriations for Vehicle Replacement may be used by the Department of Corrections only to purchase the following vehicles for operation at the Montana State Prison: eight new security vehicles, one new cargo van, and one new gator vehicle."

"Appropriations in Efficiencies in Community Corrections may be used by the Department of Corrections to expand nonresidential capacity by moving offenders that are suitable and appropriate into the community from prerelease placements."

"Appropriations in DOC Supplemental Option 1 may be utilized by the Department of Corrections to expand capacity within community corrections providers."

"Appropriations in ACA Accreditation are contingent on the Montana Board of Pardons and Parole first receiving its correctional certification through the American Correctional Association."

"The Public Safety Division includes an increase in general fund of \$1,034,160 in FY 2024 and \$1,290,984 in FY 2025 and an increase in state special revenue of \$6,749 in FY 2024 and \$6,743 in FY 2025. The increase was provided to offset inflationary impacts. The Department of Corrections may allocate this increase in funding among programs when developing 2025 biennium operating plans."

"Appropriations in Additional Authority for Correctional Officers may be used only after the Department of Corrections has fully expended all personal services appropriated for the purpose of paying correctional officers in the amount of \$67,692,715 for the 2025 biennium."

Additionally, the legislature adopted the following HB 2 language, contingent on the passage and approval of other bills, and the adjustments to HB 2 appropriations are included as decision packages and incorporated in the tables in the fiscal report:

"If HB 15 is passed and approved, the Department of Corrections is increased by \$1,034 general fund in FY 2024 and \$2,211 general fund in FY 2025."

"If HB 174 is passed and approved, the Department of Corrections is increased by \$1,363,752 general fund in FY 2024 and \$1,363,752 general fund in FY 2025."

"If HB 398 is passed and approved, the Department of Corrections is increased by \$273,708 general fund in FY 2024 and \$265,308 general fund in FY 2025, and the Department of Corrections may increase full-time equivalent positions authorized in HB 2 by 3.00 FTE in FY 2024 and 3.00 FTE in FY 2025."

"If HB 500 is passed and approved, the Department of Corrections is increased by \$34,120 general fund and decreased by \$71,796 state special revenue in FY 2024 and is increased by \$34,120 general fund and decreased by \$71,796 state special revenue in FY 2025, and the Department of Corrections must decrease full-time equivalent positions authorized in HB 2 by 0.50 FTE in FY 2024 and 0.50 FTE in FY 2025."

"If HB 541 is passed and approved, the Department of Corrections is increased by \$15,000 one-time-only state special revenue in FY 2024."

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	16,991,934	18,428,256	1,436,322	8.45 %
Operating Expenses	15,904,524	11,546,765	(4,357,759)	(27.40)%
Transfers	200,000	200,000	0	0.00 %
Total Expenditures	\$33,096,458	\$30,175,021	(\$2,921,437)	(8.83)%
General Fund	31,856,454	28,899,048	(2,957,406)	(9.28)%
State/Other Special Rev. Funds	951,018	1,037,969	86,951	9.14 %
Proprietary Funds	288,986	238,004	(50,982)	(17.64)%
Total Funds	\$33,096,458	\$30,175,021	(\$2,921,437)	(8.83)%
Total Ongoing	\$33,096,458	\$33,881,667	\$785,209	2.37 %
Total OTO	\$0	(\$3,706,646)	(\$3,706,646)	100.00 %

Program Description

The Director's Office and the Central Services Division include the following bureaus: the Legal Bureau, the Communications Bureau, the Financial Services Bureau, the Information Technology Bureau, the Human Resources Bureau, the Records Management Bureau, the Research & Analytics Bureau, and the Project Management Bureau.

This program provides services to the department and the public in the areas of: public information, human resource management, American Indian liaison services, information technology, legal support, technical correctional services, research and statistics, project management, payroll, budgeting and program planning, contract development, federal grants management, victim restitution, supervision fee collection, accounting, and various administrative and management support functions.

Program Highlights

Director's Office - CSD Major Budget Highlights
<p>The Director's Office 2025 biennium budget adopted by the legislature reflects a decrease of 8.8% or \$2.9 million when compared to the 2023 biennium. Changes include:</p> <ul style="list-style-type: none"> • A decrease totaling just over \$2.0 million related to statewide present law adjustments in personal services, fixed costs, and inflation • A decrease of \$194,000 related to an additional 1.0% vacancy savings • A decrease of \$75,000 and 0.50 FTE associated with the passage of HB 500

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	105.81	105.81	105.31	105.31
Personal Services	8,039,074	8,145,664	8,846,270	9,187,870	9,240,386
Operating Expenses	7,807,867	8,635,249	7,269,275	5,849,212	5,697,553
Transfers	100,000	100,000	100,000	100,000	100,000
Total Expenditures	\$15,946,941	\$16,880,913	\$16,215,545	\$15,137,082	\$15,037,939
General Fund	15,432,078	16,259,455	15,596,999	14,491,016	14,408,032
State/Other Special Rev. Funds	368,746	475,341	475,677	527,263	510,706
Proprietary Funds	146,117	146,117	142,869	118,803	119,201
Total Funds	\$15,946,941	\$16,880,913	\$16,215,545	\$15,137,082	\$15,037,939
Total Ongoing	\$15,946,941	\$16,880,913	\$16,215,545	\$16,982,905	\$16,898,762
Total OTO	\$0	\$0	\$0	(\$1,845,823)	(\$1,860,823)

Funding

The following table shows proposed agency funding for all sources of authority.

Department of Corrections, 01-Director's Office - C S D Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	28,899,048	0	0	28,899,048	95.77 %
02689 Offender Restitution	1,032,944	0	0	1,032,944	99.52 %
02917 MSP Canteen Revolving Acct	5,025	0	0	5,025	0.48 %
State Special Total	\$1,037,969	\$0	\$0	\$1,037,969	3.44 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
06033 Prison Ranch	59,239	0	0	59,239	24.89 %
06034 MSP Institutional Industries	59,239	0	0	59,239	24.89 %
06545 Prison Indust. Training Prog	1,044	0	0	1,044	0.44 %
06573 MSP - Cook Chill	59,241	0	0	59,241	24.89 %
06011 License Plate Production	59,241	0	0	59,241	24.89 %
Proprietary Total	\$238,004	\$0	\$0	\$238,004	0.79 %
Total All Funds	\$30,175,021	\$0	\$0	\$30,175,021	

The majority of funding for the Director's Office/CSD comes from the general fund. There is a small amount of funding for this program that comes from state special revenues, primarily from fees charged for collection of restitution from offenders. The remaining portion of funding comes from proprietary funds such as the prison ranch, industries program, cook chill operation, and license plate production.

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.

-----General Fund-----					-----Total Funds-----			
Budget Item	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	15,596,999	15,596,999	31,193,998	107.94 %	16,215,545	16,215,545	32,431,090	107.48 %
SWPL Adjustments	(653,729)	(643,741)	(1,297,470)	(4.49)%	(639,107)	(630,238)	(1,269,345)	(4.21)%
PL Adjustments	4,587	3,089	7,676	0.03 %	4,660	3,134	7,794	0.03 %
New Proposals	(456,841)	(548,315)	(1,005,156)	(3.48)%	(444,016)	(550,502)	(994,518)	(3.30)%
Total Budget	\$14,491,016	\$14,408,032	\$28,899,048		\$15,137,082	\$15,037,939	\$30,175,021	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	436,476	39,281	0	475,757	0.00	491,109	37,717	0	528,826
DP 2 - Fixed Costs	0.00	(1,544,052)	(521)	0	(1,568,711)	0.00	(1,672,024)	(502)	0	(1,696,238)
DP 3 - Inflation Deflation	0.00	453,847	0	0	453,847	0.00	537,174	0	0	537,174
DP 20 - SABHRS Rate Adjustment	0.00	4,587	1	0	4,660	0.00	3,089	1	0	3,134
DP 222 - RMTD Adjustment	0.00	1,831,572	618	0	1,860,823	0.00	1,834,259	551	0	1,860,823
DP 223 - RMTD Adjustment (OTO)	0.00	(1,831,572)	(618)	0	(1,860,823)	0.00	(1,834,259)	(551)	0	(1,860,823)
Grand Total All Present Law Adjustments	0.00	(\$649,142)	\$38,761	\$0	(\$634,447)	0.00	(\$640,652)	\$37,216	\$0	(\$627,104)

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments in funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc. The rates charged for these services are approved in the section of the budget that provides the services.

DP 3 - Inflation Deflation -

The legislature adopted adjustments generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 20 - SABHRS Rate Adjustment -

The legislature adopted an increase to proposed SABHRS rates.

DP 222 - RMTD Adjustment -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package eliminates the reduction included in DP 2. This change is necessary to designate the reduction as one-time-only in the budgeting system.

DP 223 - RMTD Adjustment (OTO) -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package designates the reduction as one-time-only.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
-----Fiscal 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 333 - Adjustment to Inflation	0.00	(324,859)	0	0	(324,859)	0.00	(415,792)	0	0	(415,792)
DP 555 - Additional Vacancy Savings	0.00	(94,306)	(2,175)	0	(96,481)	0.00	(94,847)	(2,187)	0	(97,034)
DP 1402 - HB 500	(0.50)	(37,676)	0	0	(37,676)	(0.50)	(37,676)	0	0	(37,676)
DP 1403 - HB 541 (OTO)	0.00	0	15,000	0	15,000	0.00	0	0	0	0
Total	(0.50)	(\$456,841)	\$12,825	\$0	(\$444,016)	(0.50)	(\$548,315)	(\$2,187)	\$0	(\$550,502)

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

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 555 - Additional Vacancy Savings -

The legislature adopted an additional 1.0% vacancy savings.

DP 1402 - HB 500 -

The legislature adopted contingency language to increase appropriations if HB 500 was passed and approved, and this decision package implements this language. HB 500 prohibits a court from ordering a youth, the youth's parents, or the youth's guardian to pay any contribution for any part of the costs of adjudication, disposition, attorney fees for costs of prosecuting or defending the youth, costs of detention, supervision, care, custody, or necessary medical, dental, or health treatment; or fines if the violation would constitute a criminal offense if committed by an adult. The bill also voids all outstanding fees or costs owed by a youth, the youth's parents or guardian. The branch is reduced by 0.50 FTE associated with the passage of this legislation.

DP 1403 - HB 541 (OTO) -

The legislature adopted contingency language to increase appropriations if HB 541 was passed and approved and this decision package implements this language. HB 541 requires a court to order an offender to pay accrued interest on any fine and restitution if ordered as a condition of a sentence the court has imposed. The bill would apply interest to outstanding restitution balances if an offender were out of compliance with court-mandated payments (of fines) for 6 months or more. Additional authority to the department will cover costs associated with programming changes to the restitution collection software.

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	138,457,449	159,220,346	20,762,897	15.00 %
Operating Expenses	98,064,406	119,509,384	21,444,978	21.87 %
Equipment & Intangible Assets	470,704	1,091,404	620,700	131.87 %
Capital Outlay	41,546	41,546	0	0.00 %
Transfers	418,492	362,242	(56,250)	(13.44) %
Debt Service	1,718,266	1,907,412	189,146	11.01 %
Total Expenditures	\$239,170,863	\$282,132,334	\$42,961,471	17.96 %
General Fund	235,911,163	278,677,734	42,766,571	18.13 %
State/Other Special Rev. Funds	3,259,700	3,454,600	194,900	5.98 %
Total Funds	\$239,170,863	\$282,132,334	\$42,961,471	17.96 %
Total Ongoing	\$239,170,863	\$277,116,751	\$37,945,888	15.87 %
Total OTO	\$0	\$5,015,583	\$5,015,583	100.00 %

Program Description

The Public Safety Division oversees secure correctional facilities across the state. This includes three state-owned secure facilities (Montana State Prison, Montana Women's Prison, and Pine Hills Correctional Facility), as well as the state's two contracted secure facilities (Crossroads Correctional Center and Dawson County Correctional Facility). Through the Probation and Parole Bureau, this division provides community supervision services to offenders across the state. Also housed in this division are the Investigations Bureau and various support functions to include staff development and quality assurance.

Program Highlights

Public Safety Division Major Budget Highlights	
<p>The 2025 biennium budget adopted by the legislature for the Public Safety Division reflects an increase of 18.0% or \$43.0 million when compared to the 2023 biennium. This includes:</p> <ul style="list-style-type: none"> • \$13.5 million general fund for statewide present law adjustments to personal services, fixed costs, and inflation • \$9.7 million general fund in provider rate increases to contracted secure facilities <ul style="list-style-type: none"> ◦ \$5.7 million for the department to increase contracted rates paid to Core Civic for inmates housed at Crossroads Correctional facility ◦ \$4.0 million for generally increased rates paid to all contracted secure facilities of 6.0% in FY 2024 and 10.0% in FY 2025 • \$6.1 million general fund for an additional \$2 per hour for correctional officers at the Montana State Prison (MSP) and \$3 at Pine Hills and the Montana Women's Prison (MWP) and an additional \$800,000 for the Probation & Parole performance adjusted wage scale (PAWS) program per negotiated union agreements • \$2.7 million general fund to increase amounts paid to county detention centers based on actual costs as per HB 174 • \$2.5 million contingent general fund for the purpose of paying correctional officers • \$1.7 million one-time-only general fund for 13.00 FTE in various functions related to probation and parole. • \$1.5 million to cover increased costs for meals from the MCE's food factory 	

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	989.36	989.36	1,000.36	1,000.36
Personal Services	65,195,333	66,158,024	72,299,425	79,334,561	79,885,785
Operating Expenses	49,200,161	49,525,100	48,539,306	59,193,485	60,315,899
Equipment & Intangible Assets	234,053	317,852	152,852	938,552	152,852
Capital Outlay	0	20,773	20,773	20,773	20,773
Transfers	262,371	262,371	156,121	181,121	181,121
Debt Service	1,291,922	1,326,092	392,174	953,706	953,706
Total Expenditures	\$116,183,840	\$117,610,212	\$121,560,651	\$140,622,198	\$141,510,136
General Fund	115,040,915	116,142,862	119,768,301	138,894,895	139,782,839
State/Other Special Rev. Funds	1,142,925	1,467,350	1,792,350	1,727,303	1,727,297
Total Funds	\$116,183,840	\$117,610,212	\$121,560,651	\$140,622,198	\$141,510,136
Total Ongoing	\$116,183,840	\$117,610,212	\$121,560,651	\$137,719,315	\$139,397,436
Total OTO	\$0	\$0	\$0	\$2,902,883	\$2,112,700

Funding

The following table shows proposed agency funding for all sources of authority.

Department of Corrections, 02-Public Safety Division Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	278,677,734	0	5,140	278,682,874	98.26 %
02033 Pine Hills Vocational Program	200,000	0	0	200,000	4.04 %
02034 Earmarked Alcohol Funds	51,046	0	0	51,046	1.03 %
02261 P & P Supervisory Fee	2,126,832	0	0	2,126,832	43.00 %
02339 Inmate Welfare/Inmate Pay	200,000	0	0	200,000	4.04 %
02345 Inmate Welfare Fund	0	0	1,492,043	1,492,043	30.16 %
02916 PHS-Canteen	7,046	0	0	7,046	0.14 %
02927 PHS Donations/I & I	754,660	0	0	754,660	15.26 %
02970 Juvenile Plcmnt Cost of Care	115,016	0	0	115,016	2.33 %
State Special Total	\$3,454,600	\$0	\$1,492,043	\$4,946,643	1.74 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$282,132,334	\$0	\$1,497,183	\$283,629,517	

Most of the Public Safety Division's funding comes from the general fund. The remaining funding comes from state special revenues. The largest portion of these state special funds are collected from offenders who are required to pay supervision fees related to probation and parole. Parental contributions toward the costs of care as well as interest and income related to Pine Hills school lands primarily make up additional state special revenue. These revenues are used for additional support related to direct and non-direct care costs in the Pine Hills Correctional Facility.

The inmate welfare state special revenue fund is used to fund activities and basic needs of inmates and is comprised of the sales of contraband and confiscated items, as well as proceeds from inmate canteen purchases from the state prison. A little over half of the state special revenue for the inmate welfare fund is statutorily appropriated.

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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	119,768,301	119,768,301	239,536,602	85.95 %	121,560,651	121,560,651	243,121,302	86.17 %
SWPL Adjustments	5,871,271	7,065,979	12,937,250	4.64 %	5,871,271	7,065,979	12,937,250	4.59 %
PL Adjustments	1,996,951	1,680,871	3,677,822	1.32 %	1,996,951	1,680,871	3,677,822	1.30 %
New Proposals	11,258,372	11,267,688	22,526,060	8.08 %	11,193,325	11,202,635	22,395,960	7.94 %
Total Budget	\$138,894,895	\$139,782,839	\$278,677,734		\$140,622,198	\$141,510,136	\$282,132,334	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----						-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services										
	0.00	2,064,119	0	0	2,064,119	0.00	2,610,820	0	0	2,610,820
DP 2 - Fixed Costs										
	0.00	586,532	0	0	586,532	0.00	586,532	0	0	586,532
DP 3 - Inflation Deflation										
	0.00	3,220,620	0	0	3,220,620	0.00	3,868,627	0	0	3,868,627
DP 208 - Appropriation for Food Factory Rate Increases										
	0.00	634,768	0	0	634,768	0.00	818,171	0	0	818,171
DP 211 - Vehicle Replacement (RST/OTO)										
	0.00	495,000	0	0	495,000	0.00	0	0	0	0
DP 214 - Prior Session Staffing Correction (OTO)										
	13.00	867,183	0	0	867,183	13.00	862,700	0	0	862,700
Grand Total All Present Law Adjustments										
	13.00	\$7,868,222	\$0	\$0	\$7,868,222	13.00	\$8,746,850	\$0	\$0	\$8,746,850

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments in funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc. The rates charged for these services are approved in the section of the budget that provides the services.

DP 3 - Inflation Deflation -

The legislature adopted adjustments generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 208 - Appropriation for Food Factory Rate Increases -

The legislature adopted additional general fund over the biennium to cover inflationary increases in costs related to the proposed rate increase for MCE's food factory, which provides food for the prison facilities.

DP 211 - Vehicle Replacement (RST/OTO) -

The legislature adopted additional one-time-only general fund authority for the replacement of several vehicles across the department as specified in HB 2 language.

DP 214 - Prior Session Staffing Correction (OTO) -

The legislature adopted additional one-time-only general fund authority for 13.00 FTE currently being utilized as modified positions. These FTE serve in various probation & parole functions across Montana.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
-----Fiscal 2024-----					-----Fiscal 2025-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 201 - Request Additional funding for Union Agreement Pay Increase	0.00	3,019,459	0	0	3,019,459	0.00	3,031,071	0	0	3,031,071
DP 202 - P&P Performance Adjustment Wage Scale	0.00	400,000	0	0	400,000	0.00	400,000	0	0	400,000
DP 203 - Equipment/IT Upgrades (RST/OTO)	0.00	290,700	0	0	290,700	0.00	0	0	0	0
DP 204 - IWF Adjustments	0.00	100,000	0	0	100,000	0.00	100,000	0	0	100,000
DP 207 - Appropriation for Existing Lease Rate Increases	0.00	355,754	0	0	355,754	0.00	355,754	0	0	355,754
DP 298 - Provider Rate Adjustment - 2.0%	0.00	517,266	0	0	517,266	0.00	517,266	0	0	517,266
DP 299 - Provider Rate Adjustment	0.00	950,113	0	0	950,113	0.00	2,025,805	0	0	2,025,805
DP 333 - Adjustment to Inflation	0.00	(805,155)	0	0	(805,155)	0.00	(967,157)	0	0	(967,157)
DP 555 - Additional Vacancy Savings	0.00	(357,461)	0	0	(357,461)	0.00	(359,362)	0	0	(359,362)
DP 999 - Removal of Long-Term Vacant Positions	(2.00)	(208,164)	0	0	(208,164)	(2.00)	(208,869)	0	0	(208,869)
DP 1401 - HB 174	0.00	1,363,752	0	0	1,363,752	0.00	1,363,752	0	0	1,363,752
DP 1402 - HB 500	0.00	71,796	(71,796)	0	0	0.00	71,796	(71,796)	0	0
DP 2001 - Core Civic Contract Increase	0.00	3,276,152	0	0	3,276,152	0.00	2,396,648	0	0	2,396,648
DP 2091 - Additional Authority for Correctional Officers (RST/OTO)	0.00	1,250,000	0	0	1,250,000	0.00	1,250,000	0	0	1,250,000
DP 3333 - Additional Adjustment to Inflation	0.00	1,034,160	6,749	0	1,040,909	0.00	1,290,984	6,743	0	1,297,727
Total	(2.00)	\$11,258,372	(\$65,047)	\$0	\$11,193,325	(2.00)	\$11,267,688	(\$65,053)	\$0	\$11,202,635

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

DP 201 - Request Additional funding for Union Agreement Pay Increase -

The legislature adopted general fund for an additional \$2.00 per hour for correctional officers at Montana State Prison and \$3.00 per hour for correctional officers at the Montana Women's Prison and Pine Hills Correctional Facility in accordance with negotiated union contracts and to equalize pay for correctional officers across all DOC facilities.

DP 202 - P&P Performance Adjustment Wage Scale -

The legislature adopted general fund for the Probation & Parole performance adjusted wage scale (PAWS) program per negotiated union agreements with P&P officers.

DP 203 - Equipment/IT Upgrades (RST/OTO) -

The legislature adopted one-time-only general fund authority to update and replace certain equipment items within the department's secure facilities as specified in HB 2 language.

DP 204 - IWF Adjustments -

The legislature adopted additional general fund authority to move payment of indigent kits and authority for inmate wages, which provide for negotiation of inmate telephone rates, from the Inmate Welfare Fund to the state general fund, as recommended by legislative audit.

DP 207 - Appropriation for Existing Lease Rate Increases -

The legislature adopted additional general fund at 90.0% of the executive request to cover rate increases for existing leases, as required by lease agreements.

DP 298 - Provider Rate Adjustment - 2.0% -

The legislature adopted additional general fund authority for a 2.0% provider rate adjustment for both years of the 2025 biennium.

DP 299 - Provider Rate Adjustment -

The legislature adopted additional general fund authority for a 4.0% provider rate adjustment in FY 2024 and 8.0% in FY 2025.

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 555 - Additional Vacancy Savings -

The legislature adopted an additional 1.0% vacancy savings.

DP 999 - Removal of Long-Term Vacant Positions -

The legislature adopted the removal of 2.00 FTE that had been vacant for two years or longer.

DP 1401 - HB 174 -

The legislature adopted contingency language to increase appropriations if HB 174 was passed and approved, and this decision package implements this language. This bill requires that reimbursement rates paid to county jails to be calculated using \$82.00 per bed per day or the per diem rate for Crossroads Correctional Facility minus 10.0%, whichever is higher. This would increase the current expenses for county jail holds for the Department of Corrections.

DP 1402 - HB 500 -

The legislature adopted contingency language to increase appropriations if HB 500 was passed and approved, and this decision package implements this language. HB 500 prohibits a court from ordering a youth, the youth's parents, or the youth's guardian to pay any contribution for any part of the costs of adjudication, disposition, attorney fees for costs of prosecuting or defending the youth, costs of detention, supervision, care, custody, or necessary medical, dental, or health treatment; or fines if the violation would constitute a criminal offense if committed by an adult. The bill also voids all outstanding fees or costs owed by a youth, the youth's parents or guardian. General fund appropriations will increase with a corresponding offsetting reduction in state special revenue to reflect the loss of revenue associated with juvenile cost of care.

DP 2001 - Core Civic Contract Increase -

The legislature adopted additional general fund for the department to increase the contracted rate paid to Core Civic for housing inmates at Crossroads Correctional facility. Funding is intended to cover a rate of \$92.00 per day for the 2025 biennium.

DP 2091 - Additional Authority for Correctional Officers (RST/OTO) -

The legislature adopted additional one-time-only general fund for the Department of Corrections contingent upon the department first expending all personal services appropriated to pay correctional officers including dollars realized from position vacancies.

DP 3333 - Additional Adjustment to Inflation -

The legislature adopted an additional adjustment to inflation included in DP 3.

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	30,942,856	31,237,699	294,843	0.95 %
Operating Expenses	135,750,449	170,196,293	34,445,844	25.37 %
Equipment & Intangible Assets	202,811	0	(202,811)	(100.00)%
Transfers	651,484	482,734	(168,750)	(25.90)%
Debt Service	145,411	234,694	89,283	61.40 %
Total Expenditures	\$167,693,011	\$202,151,420	\$34,458,409	20.55 %
General Fund	158,781,729	192,484,175	33,702,446	21.23 %
State/Other Special Rev. Funds	8,911,282	9,667,245	755,963	8.48 %
Total Funds	\$167,693,011	\$202,151,420	\$34,458,409	20.55 %
Total Ongoing	\$167,543,011	\$197,047,293	\$29,504,282	17.61 %
Total OTO	\$150,000	\$5,104,127	\$4,954,127	3,302.75 %

Program Description

The Rehabilitation and Programs Division is comprised of the Programs and Facilities Bureau, the Health Services Bureau, Montana Correctional Enterprises, the Evidence-Based Programming and Practices Bureau, and the Victim Services Bureau.

The Programs & Facilities Bureau provides community corrections programs to include chemical dependency treatment programs; DUI treatment facilities, methamphetamine treatment facilities; assessment, sanction, and revocation centers; and various other prison diversion programs. The department contracts with nonprofit corporations in Great Falls, Missoula, Billings, Bozeman, Butte, and Helena for prerelease services. The Health Services Bureau provides medical, dental, and mental health care to inmates in DOC's secure facilities and oversees the provision of these services in contracted facilities. Montana Correctional Enterprises (MCE) provides education and vocational training to inmates and operates the department's correctional industries program. The Evidence-Based Programming and Practices Bureau provides quality assurance services, reviewing programming options offered across the department. The Victim Services Bureau provides crucial support and assistance to victims across the state.

Program Highlights

Rehabilitation and Programs Major Budget Highlights

The 2025 biennium budget adopted by the legislature for the Rehabilitation and Programs Division is 20.6% or \$34.5 million higher than the 2023 biennium. Changes include:

- \$21.2 million general fund for increased per diem rates paid to contracted community corrections providers and Enhanced Transitional Supervision Services (ETSS) providers
 - \$15.1 million in increased rates paid to all contracted facilities of approximately 6.0% in FY 2024 and 10.0% in FY 2025
 - \$6.1 million for increased per diem rates paid to contracted providers intended to cover employee hourly pay increases
- \$6.2 million for statewide present law adjustments to personal services, fixed costs, and inflation
- \$3.1 million general fund for the department to expand current capacity within community corrections providers by approximately 50 beds
- \$2.0 million general fund for the department to expand non-residential capacity and reduce the use of pre-release space
- \$1.0 million state special revenue within the Montana Correctional Enterprises Canteen revolving fund to increase the number of items purchased to meet increasing demand

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	177.00	177.00	177.00	177.00
Personal Services	14,247,412	15,060,558	15,882,298	15,653,587	15,584,112
Operating Expenses	64,345,226	67,571,577	68,178,872	82,472,979	87,723,314
Equipment & Intangible Assets	202,811	202,811	0	0	0
Transfers	348,863	410,117	241,367	241,367	241,367
Debt Service	76,299	76,299	69,112	117,347	117,347
Total Expenditures	\$79,220,611	\$83,321,362	\$84,371,649	\$98,485,280	\$103,666,140
General Fund	74,751,957	78,703,228	80,078,501	93,651,637	98,832,538
State/Other Special Rev. Funds	4,468,654	4,618,134	4,293,148	4,833,643	4,833,602
Total Funds	\$79,220,611	\$83,321,362	\$84,371,649	\$98,485,280	\$103,666,140
Total Ongoing	\$79,145,611	\$83,246,362	\$84,296,649	\$96,017,419	\$101,029,874
Total OTO	\$75,000	\$75,000	\$75,000	\$2,467,861	\$2,636,266

Funding

The following table shows proposed agency funding for all sources of authority.

Department of Corrections, 03-Rehabilitations & Programs Division Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	192,484,175	0	0	192,484,175	81.10 %	
02261 P & P Supervisory Fee	134,612	0	0	134,612	1.39 %	
02917 MSP Canteen Revolving Acct	9,532,633	0	0	9,532,633	98.61 %	
State Special Total	\$9,667,245	\$0	\$0	\$9,667,245	4.07 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
06033 Prison Ranch	0	10,222,755	0	10,222,755	29.05 %	
06034 MSP Institutional Industries	0	7,932,387	0	7,932,387	22.54 %	
06545 Prison Indust. Training Prog	0	1,445,985	0	1,445,985	4.11 %	
06573 MSP - Cook Chill	0	10,512,183	0	10,512,183	29.87 %	
06011 License Plate Production	0	5,081,130	0	5,081,130	14.44 %	
Proprietary Total	\$0	\$35,194,440	\$0	\$35,194,440	14.83 %	
Total All Funds	\$202,151,420	\$35,194,440	\$0	\$237,345,860		

The Rehabilitation and Programs Division is comprised mostly of general fund with a small portion coming from state special revenues. These state special funds are collected from offenders who are required to pay supervision fees related to probation and parole and from the inmate canteen state special fund which receives revenues from the sales of products to inmates and is paid through inmate wages and money received from family members.

Additional funding supports functions related to Montana Correctional Enterprises (MCE), now located within the Rehabilitation and Programs Division. Non-budgeted proprietary funds such as license plate production, the prison ranch, and cook chill operations make up the largest portion of funding for the MCE.

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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	80,003,501	80,003,501	160,007,002	83.13 %	84,296,649	84,296,649	168,593,298	83.40 %
SWPL Adjustments	3,658,731	4,631,158	8,289,889	4.31 %	3,712,724	4,685,097	8,397,821	4.15 %
PL Adjustments	642,615	642,615	1,285,230	0.67 %	642,615	642,615	1,285,230	0.64 %
New Proposals	9,346,790	13,555,264	22,902,054	11.90 %	9,833,292	14,041,779	23,875,071	11.81 %
Total Budget	\$93,651,637	\$98,832,538	\$192,484,175		\$98,485,280	\$103,666,140	\$202,151,420	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----					-----Fiscal 2025-----					
FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
DP 1 - Personal Services	0.00	(136,089)	0	0	(136,089)	0.00	(205,586)	0	0	(205,586)
DP 2 - Fixed Costs	0.00	48,235	0	0	48,235	0.00	48,235	0	0	48,235
DP 3 - Inflation Deflation	0.00	3,746,585	53,993	0	3,800,578	0.00	4,788,509	53,939	0	4,842,448
DP 301 - Correction for increase for non-profit providers	0.00	508,498	0	0	508,498	0.00	508,498	0	0	508,498
DP 302 - Increase Contract Services MH, SOP, Medical, Dental	0.00	100,000	0	0	100,000	0.00	100,000	0	0	100,000
DP 307 - Differential Pay	0.00	34,117	0	0	34,117	0.00	34,117	0	0	34,117
Grand Total All Present Law Adjustments	0.00	\$4,301,346	\$53,993	\$0	\$4,355,339	0.00	\$5,273,773	\$53,939	\$0	\$5,327,712

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments in funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc. The rates charged for these services are approved in the section of the budget that provides the services.

DP 3 - Inflation Deflation -

The legislature adopted adjustments generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 301 - Correction for increase for non-profit providers -

The legislature approved general fund for increased non-profit provider rates in the 2025 biennium.

DP 302 - Increase Contract Services MH, SOP, Medical, Dental -

The legislature approved general fund authority to cover anticipated contract increases for medical, dental, nursing, and telepsychiatry services.

DP 307 - Differential Pay -

The legislature approved general fund for the payment of differential pay for certain shifts and job duties required under union contracts.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
Fiscal 2024						Fiscal 2025				
FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
DP 5 - Inmates Approaching Parole or Discharge										
1.00	109,529	0	0	109,529	1.00	106,729	0	0	106,729	
DP 306 - Additional Authority for DOC-MCE Canteen										
0.00	0	500,000	0	500,000	0.00	0	500,000	0	500,000	
DP 333 - Adjustment to Inflation										
0.00	(936,646)	(13,498)	0	(950,144)	0.00	(1,197,127)	(13,485)	0	(1,210,612)	
DP 395 - DOC Supplemental Option 1 (RST/OTO)										
0.00	1,467,861	0	0	1,467,861	0.00	1,636,266	0	0	1,636,266	
DP 396 - Efficiencies in Community Corrections (RST/OTO)										
0.00	1,000,000	0	0	1,000,000	0.00	1,000,000	0	0	1,000,000	
DP 397 - Provider Rate Adjustment - 2.0%										
0.00	1,276,736	0	0	1,276,736	0.00	1,276,736	0	0	1,276,736	
DP 398 - Provider Rate Adjustment										
0.00	4,620,255	0	0	4,620,255	0.00	6,940,866	0	0	6,940,866	
DP 555 - Additional Vacancy Savings										
0.00	(162,044)	0	0	(162,044)	0.00	(162,967)	0	0	(162,967)	
DP 999 - Removal of Long-Term Vacant Positions										
(1.00)	(72,458)	0	0	(72,458)	(1.00)	(72,690)	0	0	(72,690)	
DP 1400 - HB 15										
0.00	1,034	0	0	1,034	0.00	2,211	0	0	2,211	
DP 3981 - Contracted Provider Employee Pay Increase										
0.00	2,042,523	0	0	2,042,523	0.00	4,025,240	0	0	4,025,240	
Total	0.00	\$9,346,790	\$486,502	\$0	\$9,833,292	0.00	\$13,555,264	\$486,515	\$0	\$14,041,779

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

DP 5 - Inmates Approaching Parole or Discharge -

The legislature adopted additional general fund for a 1.00 FTE compliance manager to aid in contracting with private, nonprofit Montana entities to establish and maintain prerelease centers for the purpose of preparing inmates who are within 14 months of parole eligibility or discharge for release into the community.

DP 306 - Additional Authority for DOC-MCE Canteen -

The legislature adopted additional state special revenue within the Montana Correctional Enterprises Canteen revolving fund to increase the number of items purchased to meet increasing demand.

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 395 - DOC Supplemental Option 1 (RST/OTO) -

The legislature adopted additional general fund authority for the department to work with community corrections providers to expand current contracted bed space by approximately 50 beds across multiple different facilities.

DP 396 - Efficiencies in Community Corrections (RST/OTO) -

The legislature adopted additional general fund authority for the department to expand non-residential capacity by moving offenders that are deemed suitable/appropriate into community placements from existing pre-release beds.

DP 397 - Provider Rate Adjustment - 2.0% -

The legislature adopted additional general fund for a 2.0% provider rate adjustment each fiscal year of the 2025 biennium.

DP 398 - Provider Rate Adjustment -

The legislature adopted additional general fund authority for a 4.0% provider rate adjustment in FY 2024 and an 8.0% adjustment in FY 2025. This also contains funding for negotiated rates for RFPs.

DP 555 - Additional Vacancy Savings -

The legislature adopted an additional 1.0% vacancy savings.

DP 999 - Removal of Long-Term Vacant Positions -

The legislature adopted the removal of 1.00 FTE that had been vacant for two years or longer.

DP 1400 - HB 15 -

The legislature adopted contingency language to increase appropriations if HB 15 was passed and approved, and this decision package implements this language. HB 15 applies statutory language 20-9-236, MCA, for inflationary increases of 2.7% in FY 2024 and 3.0% in FY 2025 to K-12 BASE aid funding. Included in the components for BASE aid funding are inflationary increases to quality educator payments for educators at Pine Hills Correctional Facility.

DP 3981 - Contracted Provider Employee Pay Increase -

The legislature adopted additional general fund to increase per diem rates paid to contracted community corrections providers. This increase is intended to cover an hourly pay increase for employees within community corrections providers by \$1.00 in FY 2024 and \$2.00 in FY 2025.

Other Issues**Proprietary Rates****MSP Institutional Industries – Fund 06034*****Program Description***

The Industries Program trains inmates in specific work skills and life skills in operations which include manufacturing of furniture, upholstery, print work and signs, sewing and embroidery, institutional laundry, screen printing, inventory management, shipping, AutoCAD design, web design, marketing, hygiene kit assembly and public-private partnerships. In addition, MSP Institutional Industries includes a dog training program located at the Montana Women's Prison. Three active prison industry enhancement certification programs, Jelt Belt, SIMMS Fishing Products and TrussLux, have a 10.0% mandatory net pay savings for workers.

Expenses

Personal service expenses are used to fund 21.13 FTE. Operating expenses make up the largest portion of expenditures and are mostly used for items such as merchandise, sewing/embroidered clothing, manufacturing hardwood/plywood, and shop supplies.

Revenues

The Industries Program derives revenues from the sale of products (primarily furniture) and services such as laundry. Prices for manufactured products are set utilizing current market values and take into account cost of materials, overhead, and capital outlay.

Funding Sources

Some revenue received by the program comes indirectly from the state's general fund and other special revenue and proprietary funds due to large portions of revenues resulting from business done with agencies statewide. These funds come in undeterminable amounts.

Proprietary Rates

Revenues for all industries programs are based on customer orders, inventory levels, available customer budgets and customer satisfaction. Although the Industries Program is an enterprise fund, the agency has historically requested a rate approval for laundry, as the rate directly affects several customers who receive general fund. The legislature approved the following per-pound rates for the laundry program which is not an internal service fund as it is a small operation in the overall industries program.

Rates for Internal Service or Enterprise Funds				
Fee/Rate Information				
	Estimated FY 22	Estimated FY 23	Budgeted FY 24	Budgeted FY 25
Fee Description:				
Cost Per Pound Laundry Services	\$0.68	\$0.68	\$0.68	\$0.68
Delivery Charge per Pound				
Montana Development Center	-	-	-	-
Riverside Youth Correctional/Riverside Special Needs Unit	\$0.05	\$0.05	\$0.05	\$0.05
Montana Law Enforcement Academy	\$0.15	\$0.15	\$0.15	\$0.15
Montana Chemical Dependency Corp	\$0.04	\$0.04	\$0.04	\$0.04
START Program	\$0.01	\$0.01	\$0.01	\$0.01
Montana State Hospital	-	-	-	-
University of Montana	\$67.50	\$67.50	\$67.50	\$67.50
Calculated at 67.50 per shared round trip				
The Laundry is a small part of the Industries Enterprise Fund operation. It is not an actual internal service fund. MCE requests rate approval for this operation to allow the general fund customers to request the required appropriation to cover any additional rate increase, though no rate increase is being requested this biennium.				

The rates approved by the legislature are the maximum the program may charge during the biennium. They are not the rates the program must charge.

MCE Food Factory – Fund 06573*Program Description*

The Food Factory Program trains inmates in specific work skills and life skills in meal preparation, bakery and cook chill operations while providing meals to numerous state and county facilities in western Montana.

Expenses

Personal service expenses are used to fund 22.00 FTE. Operating expenses make up the majority of expenses and are primarily used for bulk food items to sell and to prepare tray meals.

Revenues

The food factory sells bulk food items and tray meals to customers to obtain revenue.

Funding Sources

Revenues from MSP, the food factory's largest customer, come from the general fund.

Proprietary Rates

Rates are based on the cost of raw materials, supplies, and other operating expenses. The legislature approved a \$0.10 increase on base tray hot/cold in FY 2024 and a \$0.20 increase in FY 2025. Other approved rate increases are for base tray hot (\$0.12 in FY 2024 and \$0.38 in FY 2025) and for detention center trays (\$0.33 in FY 2024 and \$0.68 in FY 2025) shown below for the Food Service Program.

Rates for Internal Service or Enterprise Funds Fee/Rate Information				
	Estimated FY 22	Estimated FY 23	Budgeted FY 24	Budgeted FY 25
Fee Description:				
Tray Meal Prices to all customers				
Base Tray-hot/cold	\$2.45	\$2.45	\$2.55	\$2.65
Base Tray-hot	\$1.32	\$1.32	\$1.44	\$1.70
Base Tray-hot	\$3.05	\$3.05	\$3.38	\$3.73
Accessory Package	\$0.20	\$0.20	\$0.20	\$0.20
Disposable tray	-	-	at cost	at cost
Delivery Charge Per Trayed Meal				
Delivery charge per mile	\$0.50	\$0.50	\$0.50	\$0.50
Delivery charge per hour	\$35.00	\$35.00	\$35.00	\$35.00
Spoilage percentage to all bulk customers	5.00%	5.00%	5.00%	5.00%
Overhead Charges				
Montana State Prison	90.00%	90.00%	94.00%	94.00%
Montana State Hospital	10.00%	10.00%	6.00%	6.00%

The rates approved by the legislature are the maximum the program may charge during the biennium. They are not the rates the program must charge.

Vocational Education (Industries Training) – Fund 06545*Proprietary Program Description*

The Vocational Education Program trains inmates in specific work skills and life skills in operations which include motor vehicle maintenance, vehicle restoration welding, and machining and metals programs in conjunction with the general funded vocational education program. This table is shown below and is combined with one other fund.

Expenses

Expenses include personal service funding for 24.50 FTE as well as various parts to perform repairs and operating costs associated with the various programs.

Revenues

Revenues are derived primarily through repair, maintenance, and restoration work on customer vehicles and equipment as well as the sale of products and services in the welding, machining, and metal programs.

Funding Sources

Primary funding supporting payment for services are the ranch proprietary and general funds. Both of these funds support the MSP and are associated with large portions of revenue for the program.

Proprietary Rates

Motor vehicle maintenance rates are based on the costs of parts and a supply charge to cover consumable supplies for auto repairs and labor to perform tasks. The labor charge is based on the cost of civilian and inmate labor and program overhead. The legislature approved an increase in labor for the 2025 biennium of \$1.55 per hour as shown below for the Vocational Education Program.

Rates for Internal Service or Enterprise Funds				
Fee/Rate Information				
	Estimated FY 22	Estimated FY 23	Budgeted FY 24	Budgeted FY 25
Fee Description:				
Labor Charge/hour	\$28.45	\$28.45	\$30.00	\$30.00
Supply fee as percentage of actual cost of parts	10%	10%	10%	10%
Note: Parts are sold at cost				

The rates approved by the legislature are the maximum the program may charge during the biennium. They are not the rates the program must charge.

Program Budget Comparison

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	1,843,408	2,051,623	208,215	11.30 %
Operating Expenses	244,889	411,760	166,871	68.14 %
Debt Service	56,899	0	(56,899)	(100.00)%
Total Expenditures	\$2,145,196	\$2,463,383	\$318,187	14.83 %
General Fund	2,145,196	2,463,383	318,187	14.83 %
Total Funds	\$2,145,196	\$2,463,383	\$318,187	14.83 %
Total Ongoing	\$2,145,196	\$2,433,383	\$288,187	13.43 %
Total OTO	\$0	\$30,000	\$30,000	100.00 %

Program Description

The Board of Pardons and Parole, as an essential part of the criminal justice process, serves all Montana citizens by administering a parole system that is balanced with public safety, offender accountability and rehabilitation, as well as protecting the interests of victims and communities, with the goal of successfully reintegrating merited offenders back into society through a reentry process.

Program Highlights

Board of Pardons and Parole Major Budget Highlights
<p>The 2025 biennium budget adopted by the legislature for the Board of Pardons and Parole is 14.8% or \$320,000 higher when compared to the 2023 biennium budget. When compared to FY 2023 base budget appropriations, the increase is 8.6% or \$196,000. Changes include:</p> <ul style="list-style-type: none"> • \$216,000 and 1.00 FTE data analyst for functions related to HB 426 • \$30,000 restricted general fund related to ACA certifications • A reduction of \$50,000 for statewide present law adjustments to personal services and inflation and for an additional 1.0% vacancy savings

Program Actuals and Budget Comparison

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	10.00	10.00	11.00	11.00
Personal Services	893,770	893,770	949,638	1,024,279	1,027,344
Operating Expenses	60,736	60,736	184,153	206,931	204,829
Debt Service	56,899	56,899	0	0	0
Total Expenditures	\$1,011,405	\$1,011,405	\$1,133,791	\$1,231,210	\$1,232,173
General Fund	1,011,405	1,011,405	1,133,791	1,231,210	1,232,173
Total Funds	\$1,011,405	\$1,011,405	\$1,133,791	\$1,231,210	\$1,232,173
Total Ongoing	\$1,011,405	\$1,011,405	\$1,133,791	\$1,216,210	\$1,217,173
Total OTO	\$0	\$0	\$0	\$15,000	\$15,000

Funding

The following table shows proposed agency funding for all sources of authority.

Department of Corrections, 04-Board of Pardons & Parole Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	2,463,383	0	0	2,463,383	100.00 %
State Special Total	\$0	\$0	\$0	\$0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$2,463,383	\$0	\$0	\$2,463,383	

The Board of Pardons and Parole is fully funded by the 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 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	1,133,791	1,133,791	2,267,582	92.05 %	1,133,791	1,133,791	2,267,582	92.05 %
SWPL Adjustments	(15,792)	(11,764)	(27,556)	(1.12)%	(15,792)	(11,764)	(27,556)	(1.12)%
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	113,211	110,146	223,357	9.07 %	113,211	110,146	223,357	9.07 %
Total Budget	\$1,231,210	\$1,232,173	\$2,463,383		\$1,231,210	\$1,232,173	\$2,463,383	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted 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 2024-----					-----Fiscal 2025-----				
FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services									
0.00	(22,430)	0	0	(22,430)	0.00	(19,332)	0	0	(19,332)
DP 3 - Inflation Deflation									
0.00	6,638	0	0	6,638	0.00	7,568	0	0	7,568
Grand Total All Present Law Adjustments									
0.00	(\$15,792)	\$0	\$0	(\$15,792)	0.00	(\$11,764)	\$0	\$0	(\$11,764)

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

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions and budget modifications.

DP 3 - Inflation Deflation -

The legislature adopted adjustments generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals										
-----Fiscal 2024-----					-----Fiscal 2025-----					
FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
DP 5 - Inmates Approaching Parole or Discharge										
1.00	109,529	0	0	109,529	1.00	106,729	0	0	106,729	
DP 333 - Adjustment to Inflation										
0.00	(1,660)	0	0	(1,660)	0.00	(1,892)	0	0	(1,892)	
DP 402 - ACA Accreditation (RST/BIEN/OTO)										
0.00	15,000	0	0	15,000	0.00	15,000	0	0	15,000	
DP 555 - Additional Vacancy Savings										
0.00	(9,658)	0	0	(9,658)	0.00	(9,691)	0	0	(9,691)	
Total	1.00	\$113,211	\$0	\$0	\$113,211	1.00	\$110,146	\$0	\$0	\$110,146

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

DP 5 - Inmates Approaching Parole or Discharge -

The legislature adopted additional general fund for a 1.00 FTE data analyst to perform analyses regarding contracted nonprofit entities establishing and maintaining prerelease centers for the purpose of preparing inmates who are within 14 months of parole eligibility or discharge for release into the community.

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 402 - ACA Accreditation (RST/BIEN/OTO) -

The legislature adopted additional one-time-only general fund authority for the Board of Pardons and Parole. This appropriation is contingent upon the board first receiving its correctional certification through the American Correctional Association (ACA).

DP 555 - Additional Vacancy Savings -

The legislature adopted an additional 1.0% vacancy savings.