

Agency Base Budget Comparison

The following table compares the base budget with the requested expenditures for the upcoming biennium by type of expenditure and source of funding.

Agency Base Budget Comparison					
Budget Item	Base Budget	Requested Budget		Biennium Change from Base	
	FY 2025	FY 2026	FY 2027	Amount	Percent
PB	845.15	851.35	851.35	6.20	0.4%
General Fund	47,633,697	49,783,380	49,741,709	4,257,695	4.5%
State/Other Special Rev. Funds	86,754,933	107,091,671	96,428,745	30,010,550	17.3%
Federal Spec. Rev. Funds	15,562,601	15,562,600	15,562,600	(2)	0.0%
Proprietary Funds	2,132,897	2,132,897	2,132,897		0.0%
<b>Total Funds</b>	<b>152,084,128</b>	<b>174,570,548</b>	<b>163,865,951</b>	<b>34,268,243</b>	<b>11.3%</b>
Personal Services	82,550,106	89,240,640	89,436,177	13,576,605	8.2%
Operating Expenses	45,319,539	47,359,718	47,228,930	3,949,570	4.4%
Equipment & Intangible Assets	3,527,244	3,927,244	3,927,244	800,000	11.3%
Local Assistance	25,001	225,001	225,001	400,000	800.0%
Grants	11,333,930	13,333,930	13,333,930	4,000,000	17.6%
Benefits & Claims	1,210,269	1,710,269	1,710,269	1,000,000	41.3%
Transfers	3,389,698	3,389,698	3,389,698		0.0%
Debt Service	4,728,341	15,384,048	4,614,702	10,542,068	111.5%
<b>Total Expenditures</b>	<b>152,084,128</b>	<b>174,570,548</b>	<b>163,865,951</b>	<b>34,268,243</b>	<b>11.3%</b>
<b>Total Ongoing</b>	<b>152,084,128</b>	<b>163,176,202</b>	<b>163,240,951</b>	<b>22,248,897</b>	<b>7.3%</b>
<b>Total One-Time-Only</b>	<b>4,017,533</b>	<b>11,394,346</b>	<b>625,000</b>	<b>3,984,280</b>	<b>49.6%</b>

Agency Highlights

<p><b>Department of Justice Major Budget Highlights</b></p>
<p>The 2027 biennium request for the Department of Justice is nearly \$34.3 million or 11.3% greater than FY 2025 base appropriations. Significant changes include:</p> <ul style="list-style-type: none"> <li>• \$10.8 million in one-time-only state special revenue to pay off statewide radio loans</li> <li>• \$7.2 million state special revenue to implement a pay increase for highway patrol troopers of 14.0% based on the salary survey conducted by the Department of Administration as required by statute</li> <li>• \$4.0 million general fund to cover supplemental contributions of 10.18% for the Highway Patrol Officers' Retirement System (HPORS) based on statutory requirements</li> <li>• \$4.0 million in state special revenue to continue additional victim services provided as one-time-only by the 2023 Legislature</li> <li>• \$2.0 million general fund for the costs of litigation related to state laws</li> </ul>

Executive Request

The following table shows the total executive request with the base budget and the statewide present law adjustments, present law adjustments, and new proposals by source of funding.

Department of Justice 2027 Biennium Base Budget and Requested Adjustments										
	FY 2026					FY 2027				
	General Fund	State Special	Federal Special	Total Funds	% of Budget Request	General Fund	State Special	Federal Special	Total Funds	% of Budget Request
<b>Base Budget</b>	<b>47,633,697</b>	<b>86,754,933</b>	<b>15,562,601</b>	<b>152,084,128</b>	<b>87.1%</b>	<b>47,633,697</b>	<b>86,754,933</b>	<b>15,562,601</b>	<b>152,084,128</b>	<b>92.8%</b>
Statewide PL										
Personal Services	932,545	(398,128)	0	534,417	0.3%	1,021,710	(291,756)	0	729,954	0.4%
Fixed Costs	95,926	(27,285)	0	68,641	0.0%	(39,911)	(27,285)	0	(67,196)	(0.0%)
Inflation Deflation	(15,432)	(146)	(1)	(15,579)	(0.0%)	(10,431)	(98)	(1)	(10,530)	(0.0%)
<b>Total Statewide PL</b>	<b>1,013,039</b>	<b>(425,559)</b>	<b>(1)</b>	<b>587,479</b>	<b>0.3%</b>	<b>971,368</b>	<b>(319,139)</b>	<b>(1)</b>	<b>652,228</b>	<b>0.4%</b>
Present Law (PL)	0	620,539	0	620,539	0.4%	0	620,539	0	620,539	0.4%
New Proposals	1,136,644	20,141,758	0	21,278,402	12.2%	1,136,644	9,372,412	0	10,509,056	6.4%
<b>Total HB 2 Adjustments</b>	<b>2,149,683</b>	<b>20,336,738</b>	<b>(1)</b>	<b>22,486,420</b>	<b>12.9%</b>	<b>2,108,012</b>	<b>9,673,812</b>	<b>(1)</b>	<b>11,781,823</b>	<b>7.2%</b>
<b>Total Requested Budget</b>	<b>49,783,380</b>	<b>107,091,671</b>	<b>15,562,600</b>	<b>174,570,548</b>		<b>49,741,709</b>	<b>96,428,745</b>	<b>15,562,600</b>	<b>163,865,951</b>	

*Statewide Present Law Adjustment for Personal Services*

In order to explain the factors influencing personal services changes, the proposed statewide personal services present law adjustment (DP1) has been broken down into three categories, as follows:

- Legislative changes - This category includes adjustments explicitly approved by the legislature, such as, changes to benefit rates, longevity adjustments required by statute, and changes in rates for workers' compensation and unemployment insurance
- Management changes - This category includes agency management decisions that adjust personal services related to changes in pay. This includes changes such as hiring positions budgeted (PB) at a lower rate to replace senior staff and broadband pay adjustments for recruitment and retention
- Budget modifications - This category includes other modifications to the FY 2025 personal services base budget such as management decisions to transfer personal services funding between programs within an agency or movement of personal services funding to or from another expenditure category (e.g. moving funding from operating expenses to personal services)

The figure below shows the analysis of the executive budget for personal services for each program.

Department of Justice				
FY 2026 Statewide Present Law Adjustment for Personal Services - DP1				
Program	Legislative Changes	Management Decisions	Budget Modifications	Total DP1
01 Legal Services Division	\$81,113	(\$121,794)	\$0	(\$40,681)
03 Montana Highway Patrol	808,871	(1,212,226)	-	(403,355)
05 Division of Criminal Investigation	(74,692)	(190,944)	472,945	207,309
07 Gambling Control Division	(28,406)	(81,720)	-	(110,126)
08 Forensic Sciences Division	61,537	(20,293)	-	41,244
09 Motor Vehicle Division	210,732	969,663	-	1,180,395
10 Central Services Division	79,157	25,602	-	104,759
19 POST Council	7,767	12,882	(131,761)	(111,112)
20 Montana Law Enforcement Academy	29,534	107,196	(424,110)	(287,380)
21 Board of Crime Control	5,312	(48,778)	-	(43,466)
<b>Total</b>	<b>\$1,180,925</b>	<b>(\$560,412)</b>	<b>(\$82,926)</b>	<b>\$537,587</b>

These numbers are calculated by looking at the PB that were filled at the snapshot and whether all personal service authority for these positions was utilized. If not, negative management changes are the result.

Other management changes are primarily comprised of the following:

- Pay adjustments to employees regarding career ladder, performance, and promotion-based adjustments
- Rehiring vacant positions at slightly higher or lower rates than when the position became vacant

Legislative changes primarily comprise of increased position retirement and social security benefits in addition to longevity.

Changes related to budget modifications occur when changes performed move more (or less) personal service funding than what is utilized for the positions that are moved or if no PB are moved at all, this funding comes back to the program it originated from when the snapshot occurs. Additionally, when operating expenses are transferred to personal services and are used to pay modified PB, that funding is lost during the snapshot process.

**Funding**

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

Total Department of Justice Funding by Source of Authority 2027 Biennium Budget Request						
Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
<b>01100 General Fund</b>	<b>98,525,089</b>	<b>1,000,000</b>		<b>8,741,443</b>	<b>108,266,532</b>	<b>28.3%</b>
02464 MHP Highway State Special	71,048,034				71,048,034	18.6%
02799 Motor Vehicle Administration	32,867,248				32,867,248	8.6%
02014 Highway Patrol Pay & Retention	30,645,844				30,645,844	8.0%
02997 911 Distribution				19,499,532	19,499,532	5.1%
02690 Public Service Radio	7,546,486	10,769,346			18,315,832	4.8%
Other State Special Revenue	50,393,458	250,000		11,446,962	62,090,420	16.3%
<b>State Special Revenue Total</b>	<b>192,501,070</b>	<b>11,019,346</b>	<b>-</b>	<b>30,946,494</b>	<b>234,466,910</b>	<b>61.4%</b>
03192 Crime Victim Assistance	14,870,334				14,870,334	3.9%
03343 Criminal History record Improv	4,200,000				4,200,000	1.1%
03344 Violence Against Women Act	2,048,576				2,048,576	0.5%
03188 Justice Assistance Grant	1,885,608				1,885,608	0.5%
03800 Medicaid Fraud	1,384,564				1,384,564	0.4%
Other Federal Special Revenue	6,736,118			250,000	6,986,118	1.8%
<b>Federal Special Revenue Total</b>	<b>31,125,200</b>	<b>-</b>	<b>-</b>	<b>250,000</b>	<b>31,375,200</b>	<b>8.2%</b>
06500 Agency Legal Services	13,930		3,560,896		3,574,826	0.9%
06005 Liquor Division	3,143,448				3,143,448	0.8%
06083 61-3-118 MVD E-Commerce	1,108,416				1,108,416	0.3%
<b>Proprietary Fund Total</b>	<b>4,265,794</b>	<b>-</b>	<b>3,560,896</b>	<b>-</b>	<b>7,826,690</b>	<b>2.0%</b>
<b>Total of All Funds</b>	<b>326,417,153</b>	<b>12,019,346</b>	<b>3,560,896</b>	<b>39,937,937</b>	<b>381,935,332</b>	
<b>Percent of All Sources of Authority</b>	<b>85.5%</b>	<b>3.1%</b>	<b>0.9%</b>	<b>10.5%</b>		

Within HB 2, general fund supports all divisions at varying levels except for the Gambling Control Division and the POST and accounts for 30.2% of total agency funding.

The 2025 biennium proposal is funded primarily with state special revenue at 61.5%. State special revenue from the consumer protection settlement proceeds supports 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 is 60.2% funded with state special revenue. Federal funding is the primary funding source for the Montana Board of Crime Control in the HB 2 budget. The MBCC budget is funded primarily with federal special revenues in the 2025 biennium and accounts for 91.2% of the total federal funding proposed for the agency.

State special revenue funds additional statutory appropriations and is principally used for grants and distributions for the 9-1-1 system and the 911 Next Gen project. Federal special revenues fund a small portion of the statutory appropriations for the support of state and local law enforcement programs.

Additional details on some of these state special revenues are provided in different program sections below.

**Agency Actuals and Budget Comparison**

The following table compares FY 2024 actual expenditures, FY 2024 and FY 2025 appropriations, and the expenditures requested for FY 2026 and FY 2027 by type of expenditure and source of funding.

Agency Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2024	Approp. Fiscal 2024	Approp. Fiscal 2025	Request Fiscal 2026	Request Fiscal 2027
PB	0.00	845.15	845.15	851.35	851.35
Personal Services	81,150,348	80,643,610	82,664,839	89,240,640	89,436,177
Operating Expenses	36,297,636	42,196,262	46,822,339	47,359,718	47,228,930
Equipment & Intangible Assets	8,207,278	8,638,930	3,927,244	3,927,244	3,927,244
Local Assistance	25,691	25,001	25,001	225,001	225,001
Grants	9,076,286	12,547,859	13,333,930	13,333,930	13,333,930
Benefits & Claims	741,669	1,253,095	1,210,269	1,710,269	1,710,269
Transfers	1,013,262	3,160,445	3,389,698	3,389,698	3,389,698
Debt Service	4,758,566	4,967,093	4,728,341	15,384,048	4,614,702
<b>Total Expenditures</b>	<b>\$141,270,736</b>	<b>\$153,432,295</b>	<b>\$156,101,661</b>	<b>\$174,570,548</b>	<b>\$163,865,951</b>
General Fund	50,115,270	52,186,300	51,251,230	49,783,380	49,741,709
State/Other Special Rev. Funds	80,787,013	84,232,357	87,154,933	107,091,671	96,428,745
Federal Spec. Rev. Funds	8,474,431	14,956,780	15,562,601	15,562,600	15,562,600
Proprietary Funds	1,894,022	2,056,858	2,132,897	2,132,897	2,132,897
<b>Total Funds</b>	<b>\$141,270,736</b>	<b>\$153,432,295</b>	<b>\$156,101,661</b>	<b>\$174,570,548</b>	<b>\$163,865,951</b>
<b>Total Ongoing</b>	<b>\$136,691,268</b>	<b>\$147,325,155</b>	<b>\$152,084,128</b>	<b>\$163,176,202</b>	<b>\$163,240,951</b>
<b>Total OTO</b>	<b>\$4,579,468</b>	<b>\$6,107,140</b>	<b>\$4,017,533</b>	<b>\$11,394,346</b>	<b>\$625,000</b>

*Agency Description*

The Department of Justice (DOJ), 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:

- 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

Please refer to the agency profile at [Department of Justice - Montana Legislature](#) for additional information about the agency’s organization structure, historical expenditures, goals and objectives, and recent studies and audits.

*FY 2024 Appropriation Compared to FY 2024 Actual Expenditures*

The Department of Justice expended 92.3% of its \$152.6 million HB 2 modified budget in FY 2024. Overall, this is slightly lower than the average of the previous five fiscal years of 96.3%. Personal services and operating expenses were the bulk of HB 2 appropriations in FY 2024 at 52.8% and 27.5%, respectively. Corresponding expenditures through FY 2024 were more weighted towards personal services at 57.6%, and operating expenses accounted for an additional 25.7%. Total personal services for FY 2024 were over expended by approximately \$520,000 or 1.6%. Operating expenses were expended at 86.1%.

The budget for the Board of Crime Control (BOCC) was 64.2% expended. Due to the large amount of federal funding in the program, this relates to the process for, and timing of, administering grants, which tends to lag behind typical expenditures.

The majority of authority for transfers and grants sits within the BOCC, reflecting low expenditures within these account categories as a result. This can be seen in expenditures of 71.7% for grant authority and 32.0% for transfer authority through FYE.

Operating expenses reflect the largest unexpended account category in FY 2024, and the largest unexpended balances can be found primarily within four separate divisions. Operating expenses within the Montana Highway Patrol and Motor Vehicle Divisions are currently expended at 71.5% and 57.9% respectively, and are in part, due to a number of line-item appropriations related to maintenance costs for the MERLIN system and camera systems that were not fully expended. These appropriations total \$3.3 million with \$500,000 in expenses and are described in more detail within the line-item table below. The following table outlines the FY 2024 operating expense budget and expenditures for these four divisions:

Figure: DOJ FY 2024 Operating Expenses

<b>Program</b>	<b>FY 2024 Budget</b>	<b>FY 2024 Expenses</b>	<b>Remaining Authority</b>
03 Montana Highway Patrol	\$11,101,830	\$9,858,810	\$1,243,020
08 Forensic Sciences	1,854,624	1,332,902	521,722
09 Motor Vehicle Division	11,832,060	9,200,601	2,631,459
21 Board of Crime Control	1,150,816	473,457	677,359
<b>Total</b>	<b>\$25,939,330</b>	<b>\$20,865,770</b>	<b>\$5,073,560</b>

*FY 2024 Appropriations Compared to FY 2025 Appropriations*

FY 2025 appropriations are \$156.1 million, which is nearly \$2.7 million or 1.7% greater than FY 2024 appropriations. Increases can be seen primarily within both personal services and operating expenses. Within personal services, additional HB 2 pay plan funding of nearly \$2.9 million drives the increase.

Within operating expenses, increases from FY 2024 to FY 2025 are not a result of additional authority but rather from budget modifications made during FY 2024. The department performed many modifications which moved approximately \$4.1 million in operating expense authority to other accounts such as equipment and personal services, explaining lower amounts in FY 2024. These changes were not made to FY 2025 appropriations.

The changes described above also help explain the decrease seen in equipment authority from FY 2024 to FY 2025. Additionally, the department had one-time-only funding in FY 2024 totaling \$2.0 million for server replacements.

*Comparison of FY 2025 Legislative Budget to FY 2025 Base*

The figure below illustrates the beginning FY 2025 budget as adopted by the 2023 Legislature compared to the FY 2025 base budget, which includes modifications as approved by the approving authority (as authorized in statute) during the interim. The FY 2025 base budget was agreed upon by the Office of Budget and Program Planning and the Fiscal Division to be the point from which any changes would be recorded for the 2027 biennium budgeting process.