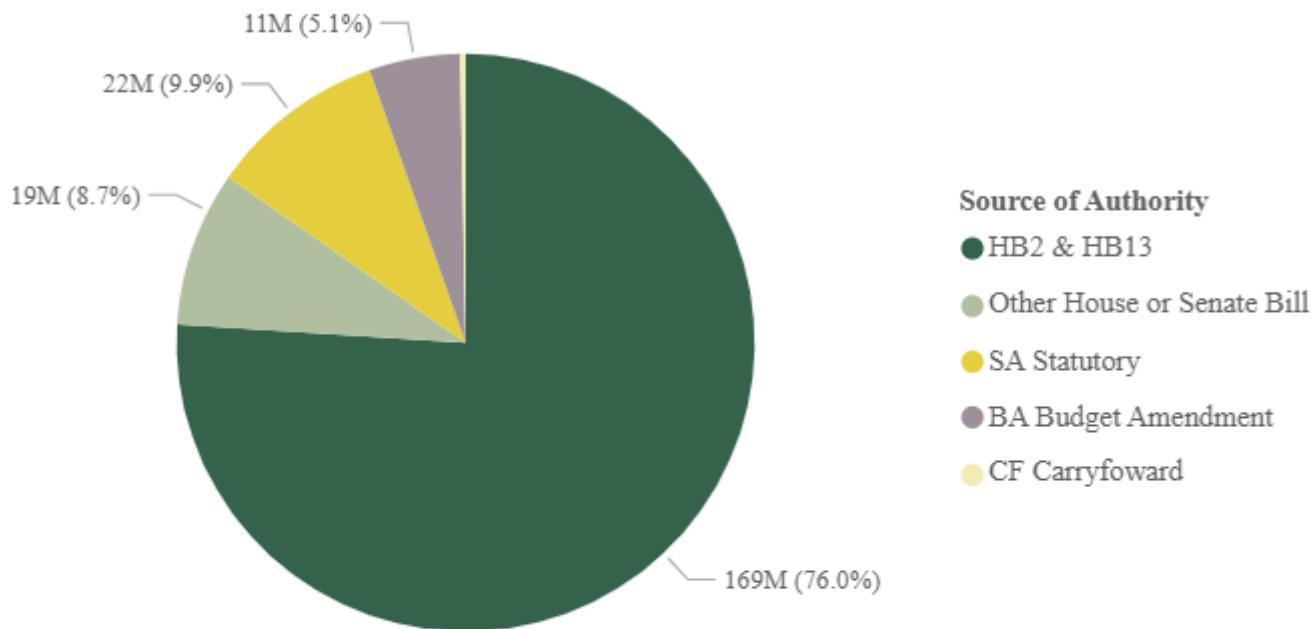


# DEPARTMENT OF JUSTICE

## TOTAL APPROPRIATION AUTHORITY

The total appropriation authority for the Department of Justice (DOJ) is shown in the pie chart below. HB 2 and HB 13 provide 76.0% of the total authority for this agency. All types of appropriation authority for this agency are described below, including total budget and the percent expended by source of authority.

### Total Modified Budget by Source of Authority



Source of Authority	Modified Budget	Expenditure	% Expenditure
HB2 & HB13	169,019,926	64,590,311	38.2%
BA Budget Amendment	11,298,896	1,762,604	15.6%
CF Carryforward	677,569		
Other House or Senate Bill	19,340,775	2,930,228	15.2%
SA Statutory	22,049,064	10,758,718	48.8%
<b>Total</b>	<b>222,386,230</b>	<b>80,041,861</b>	<b>36.0%</b>

## **Budget Amendments**

Through November 2026, the DOJ expended nearly \$1.8 million, or 15.6% of the \$11.3 million in budget amendment (BA) authority. The majority of this unexpended budget amendment authority will carry over to future fiscal years until the federal authorization expires if it is not expended during the state fiscal year. Most remaining federal authority within the DOJ expires at the end of FFY 2026 (September 30, 2026) unless extensions for funding are received. Some certain initiatives will continue longer until periods expire.

In total, state special revenue authority totals nearly \$4.3 million and comprise 37.9% of total BA authority while federal special revenues support the remaining 62.3% of authority totaling just over \$7.0 million. BA funding supports many activities within the DOJ budget.

- State special revenue authority has been 7.3% expended through November. The largest unexpended balance relates to unexpended settlement funds which total \$3.4 million. Budget amendment authority from state special revenue mainly relates to the following:
  - 7.00 modified positions to aid with the increase in fingerprint submissions, dispositions, and requests to process criminal history records within the criminal records and identification services system (CRISS). The funding for the modified positions comes from the criminal records information systems state special revenue account
  - Authority received from a settlement between the state and Johnson and Johnson, which will be directed towards restitution and grants for Child Advocacy Centers
  - 17-7-402(1)(xi), MCA, allows these budget amendments to occur
- Federal special revenue authority has been 20.6% expended through November. Federal budget amendment authority is primarily used for the following:
  - Montana Sexual Assault Kit Initiative (SAKI) program
  - Providing responses to violent crimes against women and exploitation of the elderly
  - Providing compensation and assistance to victims of crime
  - Funding for 2.00 positions budgeted that investigate statements and activities that raise suspicion of disability fraud by claimants, medical providers, interpreters, or other service providers
  - Addressing criminal activities related to the manufacture and distribution of methamphetamine, opioids, and prescription drugs
  - Addressing internet crimes against children
  - Addressing and responding to gun violence
  - Increasing DNA analysis, capacity enhancement, and backlog reduction

## **Carryforward**

In FY 2026, the DOJ has approximately \$678,000 in total carryforward (CF) authority. No authority has been expended from these appropriations so far in FY 2026. Continued appropriations all come from FY 2024 authority, which was derived from 30.0% of the qualifying unexpended balances from that fiscal year. As outlined in statute, authority is available to be spent for the next two fiscal years. Carryforward authority in FY 2026 is comprised mostly of federal special revenue at 61.5% and general fund at 19.6%. Small amounts of enterprise proprietary funds and state special revenue are also present.

## Other Bills

Through November of FY 2026, the DOJ expended approximately \$2.9 million, or 15.2% of the \$19.3 million provided to the department through a series of non-HB 2 legislation in the 2027 biennium. Authority is almost entirely comprised of capital development funds and the general fund. The detail of the authority in these bills and related expenditures in FY 2026 include:

- \$12.9 million in authority from the capital development fund from [HB 10](#) (2023 Session) for the new Credentialling and Registration System (CARS) designed to replace the MERLIN system. FY 2026 expenditures total a little over \$2.2 million. More information on the project is provided later in the report
- \$4.7 million general fund from [HB 85](#) (2025 Session) which reinstated previous employer contribution rates of 38.33% for the Montana Highway Patrol Officers Retirement System (MHPORS). Funding of \$4.0 million was provided to ensure the DOJ was adequately funded for its contributions in the 2027 biennium. As the bill reestablished statutory general fund authority, this amount was intended to be vetoed as it was not necessary based on the final mechanisms in the bill. It was not vetoed but will not be expended. The bill also contained an additional \$713,000 for retroactive back dating of payments. About \$700,000 of this authority has been expended. Retroactive payments have been finalized, and the remaining funds will return to the general fund
- \$1.2 million in general fund was provided through [HB 117](#) (2025 Session). This legislation continues the state's criminal justice data warehouse project and outlines/appropriates next steps for the project. All authority is provided to the Montana Board of Crime Control (MBCC). No authority has been expended in FY 2026, and this authority in the bill can be broken down in the following manner:
  - \$500,000 for the MBCC to provide grants to the Judicial Branch to receive data from the Fullcourt system
  - \$480,000 for the MBCC to acquire software to catalog data and masterize records received from many different data systems
  - \$252,000 for 2.00 PB including a data warehouse architect and a project manager

## Statutory Appropriations

The DOJ has expended statutory appropriation (SA) authority of nearly \$10.8 million, or 48.8% of the total \$22.0 million in authority in FY 2026. The primary budget and spending within the department's statutory accounts include the following:

- \$10.7 million for two statutory appropriations, distributions, and grants from 9-1-1 fees. A total of \$5.8 million has been expended through November
- \$4.2 million general fund for the state's share of the costs of county attorneys, as required in 7-4-2502, MCA. This appropriation has been 50.0% expended at \$2.1 million
- \$2.3 million for the 911 Next Gen project which has not seen expenditures to this point in FY 2026. The request for proposal (RFP) for the project was recently closed, and the department expects to have a contract in place in the coming months with spending on the project beginning in the spring of 2026
- \$2.0 million general fund provided statutorily for a 10.18% portion of employer contributions to the MHPORS system as previously mentioned. Approximately \$739,000 has been expended
- \$1.9 million for the distribution of fees and taxes on various forms of gambling (card tables, live bingo and keno, and video machines) to local governments, as required in 23-5-306, 409, and 612, MCA. The

appropriation is funded with state special revenues derived from the gambling fees and taxes. The department has expended just over \$1.7 million of this authority

## Non-Budgeted Proprietary Funding

Not shown in the total authority figure on Page 1, the department has \$1.8 million of non-budgeted proprietary funding in FY 2026 for a single proprietary program, Agency Legal Services (ALS). Expenditures total \$22,000. This program has been eliminated since the beginning of FY 2026, and no more authority will be expended.

## HB 2 BUDGET MODIFICATIONS

The following chart shows the HB 2 budget as passed by the legislature, including the pay plan, and the HB 2 modified budget from July 1, 2025, through November 30, 2025. Net modifications to the budget include operating plan changes from one expenditure account to another, program transfers, reorganizations, and agency transfers of authority. The [positive modifications](#) and [negative modifications](#) are shown by program, expenditure account, and fund type.

Agency Name	HB 2 Budget	Modified Budget	Net Modifications
Department of Justice	169,019,926	169,019,926	0
01 LEGAL SERVICES DIVISION	11,294,356	11,300,215	5,859
03 MONTANA HIGHWAY PATROL	60,578,136	50,045,999	-10,532,137
05 DIV OF CRIMINAL INVESTIGATION	18,521,148	18,200,564	-320,584
07 GAMBLING CONTROL DIVISION	4,569,089	4,569,089	
08 FORENSIC SERVICES DIVISION	8,845,235	8,845,235	
09 MOTOR VEHICLE DIVISION	26,209,532	26,110,790	-98,742
10 CENTRAL SERVICES DIVISION	16,796,568	27,533,646	10,737,078
19 POST COUNCIL	639,535	639,535	
20 MT LAW ENFORCEMENT ACADEMY	2,544,162	2,697,687	153,525
21 BOARD OF CRIME CONTROL	19,022,165	19,077,165	55,000
<b>Total</b>	<b>169,019,926</b>	<b>169,019,926</b>	<b>0</b>
Expenditure Type	HB 2 Budget	Modified Budget	Net Modifications
61000 Personal Services	88,956,615	89,386,615	430,000
62000 Operating Expenses	46,862,467	47,021,344	158,877
63000 Equipment & Intangible Assets	3,927,244	3,960,244	33,000
65000 Local Assistance	225,001	225,001	
66000 Grants	13,333,930	13,407,893	73,963
67000 Benefits & Claims	1,710,269	1,150,269	-560,000
68000 Transfers-out	3,389,698	3,253,858	-135,840
69000 Debt Service	10,614,702	10,614,702	0
<b>Total</b>	<b>169,019,926</b>	<b>169,019,926</b>	<b>0</b>
Fund Type	HB 2 Budget	Modified Budget	Net Modifications
01 General	53,692,511	53,692,511	0
02 State/Other Spec Rev	97,574,622	97,574,622	0
03 Fed/Other Spec Rev	15,583,702	15,583,702	0
06 Enterprise	2,162,126	2,162,126	
06 Internal Service	6,965	6,965	
<b>Total</b>	<b>169,019,926</b>	<b>169,019,926</b>	<b>0</b>

The figures above highlight modifications to the HB 2 budget that have occurred to date in FY 2026. During this timeframe, modifications and reorganizations have been made which have moved authority between accounting levels and agency programs.

The department reorganized slightly by moving both the state 911 program and the statewide Public Safety Radio program from the Montana Highway Patrol (MHP) to the Central Services Division (CSD). A total of \$10.1 million and associated 5.00 PB (three program specialists and two program managers) for the two programs were moved during the reorganization. All authority exists within state special revenue with the majority of authority being provided for radio loan payments.

Other significant changes that moved authority and personnel between agency programs are as follows:

- 3.00 PB and associated \$276,000 in personal service funding was transferred from the MHP to the CSD. In the budgeting system, these positions relate to two accounting technicians and one administrative supervisor position
- 2.00 PB and associated \$167,000 in personal service funding were moved from the Division of Criminal Investigation (DCI) to the CSD. In the budgeting system, these positions relate to one accounting technician and one administrative specialist position
- Just over \$153,000 in state special revenue authority from the Montana Law Enforcement Academy (MLEA) state special revenue fund was moved from the DCI (where the MLEA was previously housed) to the standalone MLEA program
- 1.00 PB was transferred from the MHP to the CSD which was part of the Public Safety Radio Program described above. This communications technologist position was not included in the original reorganization and is associated with just under \$133,000 in personal service funding
- 1.00 PB lawyer position and nearly \$99,000 in personal service funding was moved from the Legal Services Division (LSD) to the Motor Vehicle Division (MVD)

There were a few additional modifications that moved funding between first level expenditure accounts within divisions. The most notable of these are as follows:

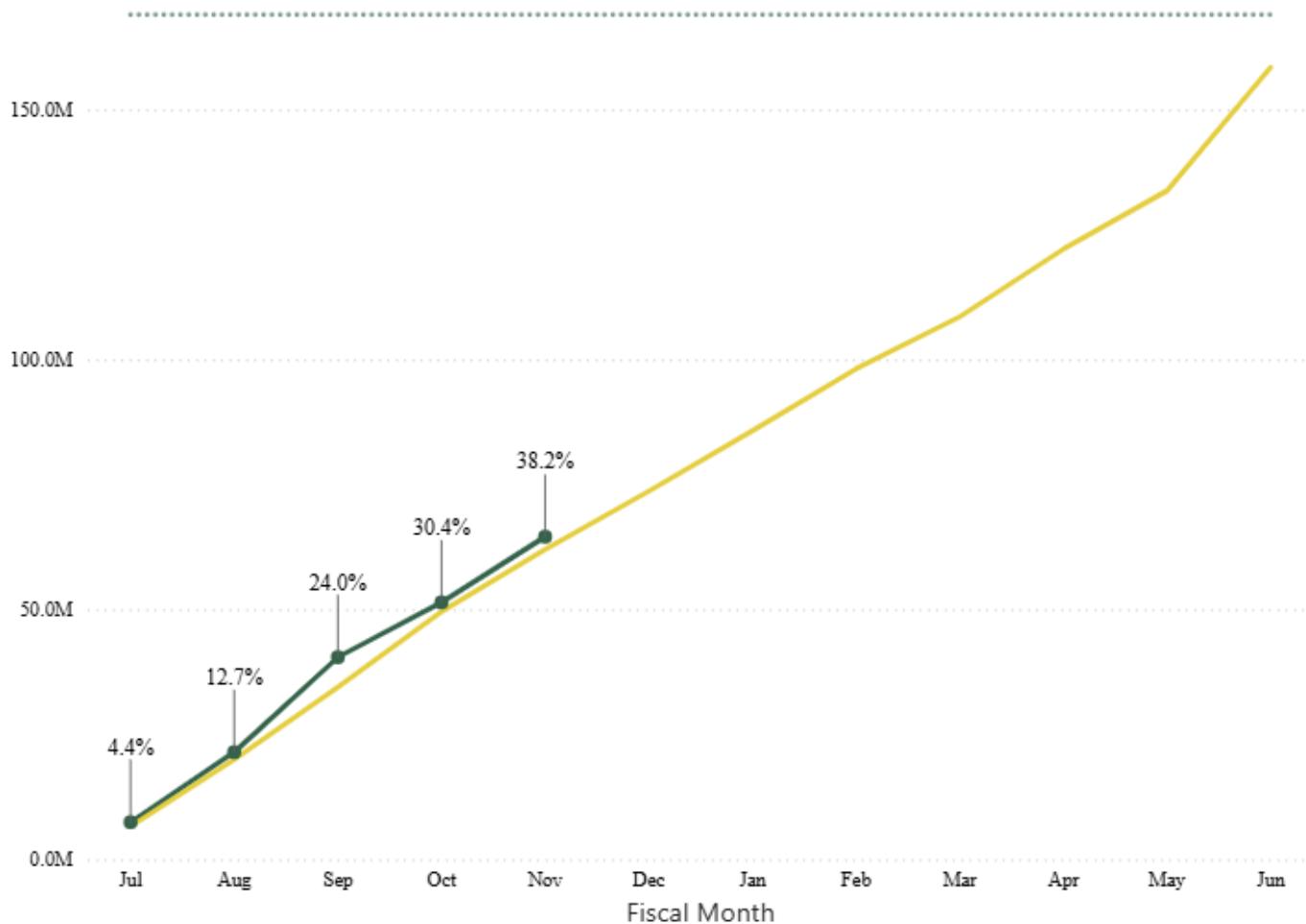
- Within the Montana Board of Crime Control (MBCC), approximately \$136,000 was moved from transfer accounts to grants in order for the Board to make grant payments
- Within the Legal Services Division, \$500,000 in authority contained in benefits accounts was moved to personal services and operating expenses. A line-item appropriation in HB 2 of the 2025 Session provided \$500,000 to the Natural Resource Damages Program, but this authority was loaded into benefits and claims accounts. This change moves authority to be used on personnel and operations

## HB 2 APPROPRIATION AUTHORITY

The following chart shows the appropriated budget for the agency compared to expenditures through November 30, 2025.

### Monthly Expenditures Compared to Historical Average

● FY 2026 Budget ● Cumulative Monthly FY 2026 Expenditures ● Cumulative Historical Monthly Average Expended



Program Name	Modified Budget	Expended Budget	% Expended
01 LEGAL SERVICES DIVISION	11,300,215	3,432,067	30.4%
03 MONTANA HIGHWAY PATROL	50,045,999	17,179,064	34.3%
05 DIV OF CRIMINAL INVESTIGATION	18,200,564	7,161,974	39.4%
07 GAMBLING CONTROL DIVISION	4,569,089	1,607,516	35.2%
08 FORENSIC SERVICES DIVISION	8,845,235	3,218,552	36.4%
09 MOTOR VEHICLE DIVISION	26,110,790	9,851,875	37.7%
10 CENTRAL SERVICES DIVISION	27,533,646	15,174,333	55.1%
19 POST COUNCIL	639,535	233,636	36.5%
20 MT LAW ENFORCEMENT ACADEMY	2,697,687	955,668	35.4%
21 BOARD OF CRIME CONTROL	19,077,165	5,775,625	30.3%
<b>Total</b>	<b>169,019,926</b>	<b>64,590,311</b>	<b>38.2%</b>

Expenditure Type	Modified Budget	Expended Budget	% Expended
Personal Services	89,386,615	33,211,400	37.2%
Operating Expenses	47,091,344	17,390,944	36.9%
Equipment & Intangible Assets	3,960,244	426,090	10.8%
Local Assistance	225,001	16,286	7.2%
Grants	13,407,893	4,711,288	35.1%
Benefits & Claims	1,150,269	433,532	37.7%
Transfers-out	3,183,858	215,849	6.8%
Debt Service	10,614,702	8,184,923	77.1%
<b>Total</b>	<b>169,019,926</b>	<b>64,590,311</b>	<b>38.2%</b>

Fund Type	Modified Budget	Expended Budget	% Expended
01 General	53,692,511	19,037,652	35.5%
02 State/Other Spec Rev	97,574,622	40,656,979	41.7%
03 Fed/Other Spec Rev	15,583,702	4,389,010	28.2%
06 Enterprise	2,162,126	506,670	23.4%
06 Internal Service	6,965		
<b>Total</b>	<b>169,019,926</b>	<b>64,590,311</b>	<b>38.2%</b>

The Department of Justice expended 38.2% of its \$169.0 million HB 2 modified budget so far in FY 2026. Overall, this is slightly higher than the average of the previous five fiscal years of 36.7%.

Personal services and operating expenses are the bulk of HB 2 appropriations in FY 2026 at 52.9% and 27.8%, respectively. Corresponding expenditures through November of FY 2026 follow this same pattern with operating expenses accounting for 26.9% with personal services accounting for an additional 51.4% of total expenditures.

The budget for the Montana Board of Crime Control was 30.3% 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 MBCC, reflecting low expenditures within these account categories as a result. This can be seen in expenditures of 35.1% for grant authority and 6.8% for transfer authority through November.

Within the Legal Services Division (LSD), approximately \$108,000 has been expended from the \$500,000 appropriated one-time-only to the Natural Resource Damages Program (NRDP). Additionally, a little over \$90,000 has been expended of the \$1.0 million general fund provided for the litigation of state legislation. These expenditure amounts account for the lower expense rate in the program. Authority for litigation of state laws was provided biennially, and remaining FY 2026 amounts can be expended in FY 2027.

Operating expenses within the Montana Highway Patrol reflect expenditures of 29.3% of total budgets in FY 2026. Personal services reflect expenditure rates of 36.4%. These are lower than anticipated, but more personal services information regarding MHP vacancies is provided below.

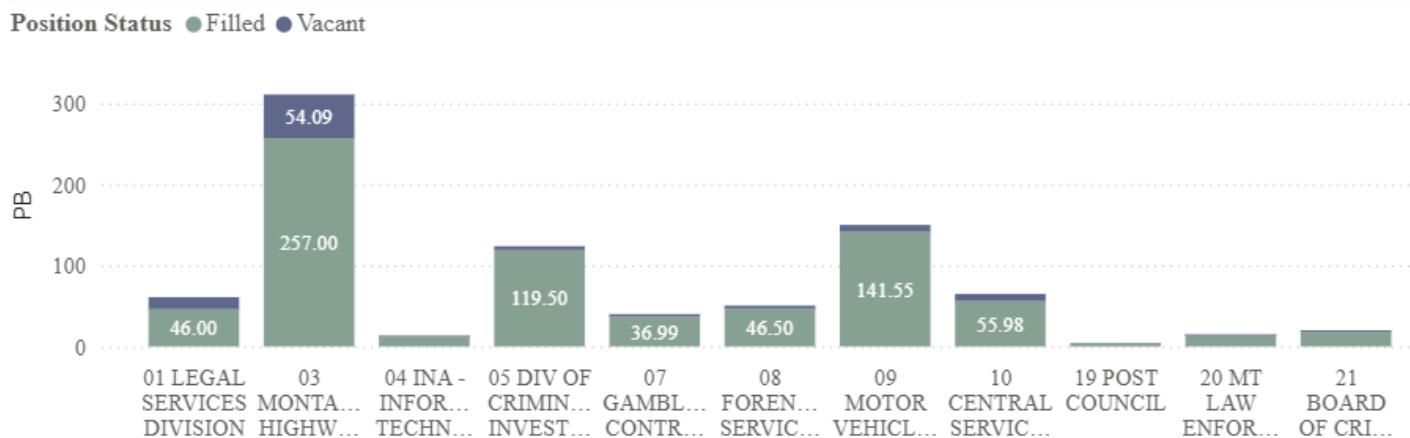
The CSD reflects total expenditures of 55.1% of total budgets through November. This is high; however, budgets for the CSD now include the Public Safety Radio program as described above. That program contained \$6.0 million in state special revenue authority for a loan payment towards the radio program. That authority has been fully expended. Excluding this large one-time expenditure, the CSD has expended approximately 42.6% of other appropriations.

The 2025 Legislature approved a series of line-item appropriations to the DOJ for the 2027 biennium. The most notable of these appropriations and their corresponding expenditures through November are the following:

- \$1.0 million biennial general fund each year of the 2027 biennium for DOJ expenses related to the litigation of state legislation. Approximately \$90,000 has been expended to date
- \$500,000 one-time-only general fund for the NRDP to use in determining and quantifying the level of injured natural resources and the actions/costs needed to return injured resources to baseline conditions. \$108,000 has been expended to date
- \$120,000 general fund was provided to boost pay levels to help the department hire a forensic medical examiner position. No authority has been expended to date

## Personal Services

The following chart shows the filled and vacant PB (positions budgeted) within the agency in FY 2026. Personal service appropriations in HB 2 for FY 2026 total nearly \$89.4 million and were 37.2% expended through November 2025. For clarification, the data does show a few positions in the Information Technology and Services Division (ITSD); however, this program no longer exists, and these positions now reside within the CSD.



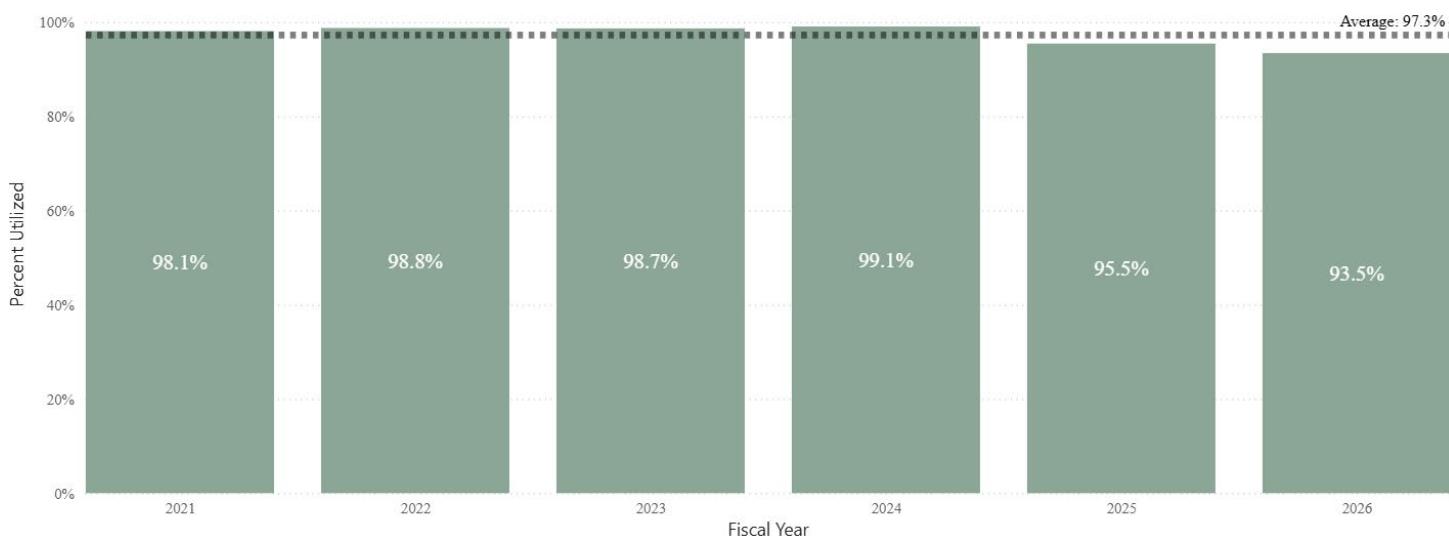
For FY 2026, the DOJ was budgeted for 853.35 PB within HB 2. Of the total PB, DOJ had 103.34 vacant PB as of November 1, reflecting a vacancy rate of 12.1%. Compared to the fiscal year-end data shown at the September IBC meeting, this is an increase of 16.00 vacant PB.

The MHP continues to be the division experiencing the highest number of vacancies in FY 2026, accounting for 54.09 vacant PB, or approximately 52.3% of total agency vacancies. Within these MHP vacancies, 39.09 PB corresponded to Highway Patrol officer and sergeant positions, and 13.00 PB were for emergency dispatch positions in the dispatch center. Other areas currently experiencing vacancies include:

- Assistant Attorney General positions – 7.00 vacant PB
- Licensed Permit Technicians – 6.00 vacant PB
- Crime Investigators – 2.00 vacant PB

According to SABHRS reports, the department has experienced turnover within 14 total positions in FY 2026. Of these positions, 12 left state employment, and the remaining two positions transferred to other agencies in state government.

The chart below shows the hourly utilization percentage for the Department of Justice between July 1 and October 31 for each fiscal year when compared to the available hours for the same period. The DOJ has utilized 93.5% of budgeted hours available for the specified time period which is lower than the average of the five previous fiscal years of 97.3%. This can be seen in the higher agency vacancy rate of 12.1% stated earlier.

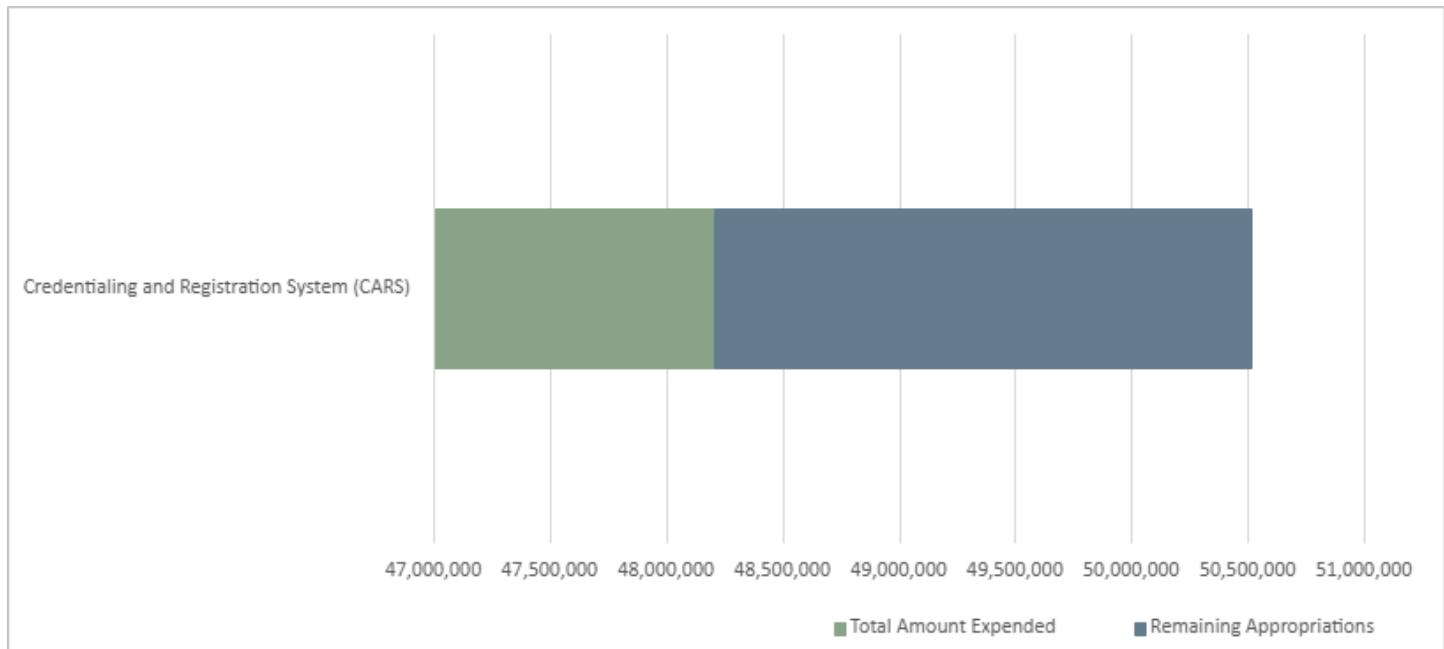


Additionally, the chart below reflects the vacant PB in each division, the number of months each position has been vacant, and the midpoint hourly pay rate. The SABHRS data used to create the vacant positions report below was pulled at a slightly different time than the data used in the above charts, which is why the number of vacant positions differs by 4.00 PB. The table also reflects some numbers in program 04 - Information Technology Systems. That division has been reorganized into the CSD and no longer exists on its own. As seen in that table, of the 99.34 PB that were vacant on November 1, about 8.25 PB have been vacant for longer than one year. A large portion of positions (39.00 PB) have become vacant since the start of FY 2026.

Position Classification	PB	Median Months Vacant	Market Midpoint (Hourly)
<b>Department Of Justice</b>	<b>99.34</b>	<b>4.05</b>	<b>19.08</b>
<b>01 LEGAL SERVICES DIVISION</b>	<b>15.00</b>	<b>4.59</b>	<b>54.83</b>
Assistant Attorney General	6.00	6.49	55.14
Lawyer 2	2.00	3.44	55.14
Lawyer Supervisor	1.00	16.07	54.83
Paralegal 1	1.00	1.38	25.52
Paralegal 2	1.00	3.21	29.98
Personal Staff - EO/Prof	2.00	4.95	
Project Management Specialist3	1.00	4.07	47.69
Public Relations Supervisor	1.00	20.66	38.65
<b>03 MONTANA HIGHWAY PATROL</b>	<b>51.09</b>	<b>6.52</b>	
Comm Center Supervisor	1.00	0.95	36.25
Emergency Dispatcher 1	10.00	2.82	21.31
Highway Patrol Officer 1	36.09	8.16	
Highway Patrol Sergeant	3.00	21.57	
Purchasing Technician	1.00	-	20.28
<b>04 INA - INFORMATION TECHNOLOGY SYST</b>	<b>1.50</b>	<b>7.23</b>	<b>40.02</b>
Software Developer Supervisor	1.00	1.15	43.39
Web Developer/SharePoint Spec	0.50	13.31	36.64
<b>05 DIV OF CRIMINAL INVESTIGATION</b>	<b>4.25</b>	<b>2.69</b>	<b>36.55</b>
Assistant Attorney General	1.00	1.02	55.14
Crime Investigator	1.00	2.66	36.55
Crime Investigator 2	1.00	2.69	36.55
Intern	0.25	16.13	
Program Specialist 1	1.00	6.82	27.86
<b>07 GAMBLING CONTROL DIVISION</b>	<b>3.00</b>	<b>9.18</b>	<b>34.52</b>
Compliance Investigator Superv	1.00	8.07	38.76
Crime Investigator	1.00	9.18	34.52
Electric Electronic Inspectors	1.00	9.97	27.71
<b>08 FORENSIC SERVICES DIVISION</b>	<b>3.00</b>	<b>0.46</b>	<b>36.55</b>
DNA Analyst	1.00	-	36.55
Forensic Scientist 2	1.00	0.46	36.55
Medical Examiner 1	1.00	8.03	135.01
<b>09 MOTOR VEHICLE DIVISION</b>	<b>8.50</b>	<b>0.85</b>	<b>17.87</b>
CDL VIN Specialist	1.00	0.46	17.87
License Permit Technician 2	6.00	0.62	17.87
Project Management Specialist	1.00	2.98	38.15
Software Tester	0.50	13.77	25.33
<b>10 CENTRAL SERVICES DIVISION</b>	<b>9.00</b>	<b>2.98</b>	<b>36.35</b>
Accountant 1	1.00	3.21	23.11
Accounting Supervisor	1.00	11.87	34.56
Emerging Technology Analyst	1.00	1.77	41.13
Human Resources Recruiter	1.00	1.02	33.80
IT Manager	1.00	19.05	55.24
IT Systems Analyst 2	1.00	2.98	41.13
IT Systems Support 1	1.00	1.31	25.33
Program Specialist 2	2.00	2.75	36.35
<b>20 MT LAW ENFORCEMENT ACADEMY</b>	<b>2.00</b>	<b>12.16</b>	<b>25.10</b>
Accounting Technician 2	1.00	21.11	20.30
Trainer 2	1.00	3.21	29.91
<b>21 BOARD OF CRIME CONTROL</b>	<b>2.00</b>	<b>4.03</b>	<b>45.22</b>
Business Analyst 3	1.00	4.03	42.74
Project Management Specialist3	1.00	4.03	47.69

## OTHER ISSUES

### Information Technology Project Expenditures



The DOJ is finalizing a major information technology (IT) project related to the Credentialing and Registration System (CARS) which replaces the MERLIN IT system. The following information relates to the project:

- Expenditures through November of FY 2026 related to the project were \$48.2 million
- The annual maintenance costs included in HB 2 for the 2027 biennium are nearly \$2.6 million
- All modules for this project have been completed, and the system will remain in the warranty phase until July 2026 to ensure all aspects of the system are working properly

### Required Reports

The following link will take you to links for any reports that the Department is required to bring to the legislature: <https://committees.legmt.gov/#/nonStandingCommittees/25?tab=Required+Reports>