MEMORANDUM FOR EXECUTIVE OFFICES AND CRIMINAL JUSTICE APPROPRIATIONS SUBCOMMITTEE

FROM: Gary Syphus, Analyst

DATE: August 20, 2019

SUBJECT: State Lawsuit/Settlement Cost Funding Structure Option

In any given year, the Legislature may consider and fund various costs/payments associated with litigation, settlement, court-ordered payments etc. These items typically are funded through the Executive Offices and Criminal Justice Appropriation Subcommittee within the Office of the Attorney General (OAG), however there are some exceptions to this which may create miscommunication between agencies.

Over time, questions arise about whether this ought to be funded a different way or in a different committee as many of these items are not related to criminal justice or public safety. Also, in some cases there was miscommunication among related parties on how funding was to be expended.

Considering the subject matter of these legal actions and related costs span all of state government such as natural resources, social services, transportation, etc., one option is to keep the basic funding structure of a line item within the OAG but have that funding be part of what the Executive Appropriations Committee oversees. This way the Office of the Attorney General would report to EAC for this part of the budget. As EAC already deals with a variety of statewide issues, they may be better equipped to manage the subject matter and make more informed funding decisions.