

1 HOUSE BILL NO. 453

2 INTRODUCED BY R. GREGG, W. GALT, E. ALBUS, G. OVERSTREET, C. SCHOMER, T. MILLETT, E.
3 TILLEMAN, D. ZOLNIKOV, B. LER, K. ZOLNIKOV, L. BREWSTER, B. MITCHELL

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5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CRYPTOCURRENCY LAWS; DIRECTING THE
6 DEPARTMENT OF REVENUE TO IMPLEMENT A PROGRAM FOR ACCEPTING TAX PAYMENTS IN
7 CRYPTOCURRENCY THROUGH THIRD-PARTY PAYMENT PROCESSORS; CLARIFYING THAT TAX
8 PAYMENTS MADE WITH CRYPTOCURRENCY ARE NOT SUBJECT TO STATE CAPITAL GAINS
9 TAXATION; PROVIDING RULEMAKING AUTHORITY; PROVIDING DEFINITIONS; PROVIDING AN
10 APPLICABILITY DATE."

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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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14 NEW SECTION. **Section 1. Definitions.** As used in [sections 1 through 3], the following definitions
15 apply:

16 (1) "Cryptocurrency" means a digital or virtual currency that uses cryptography for security,
17 operates independently of a central authority, and utilizes blockchain or similar technology to record
18 transactions.

19 (2) "Third-party payment processor" means an entity that facilitates the acceptance, conversion,
20 and remittance of cryptocurrency payments to the department of revenue on behalf of a taxpayer.

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22 NEW SECTION. **Section 2. Cryptocurrency tax payment program -- rulemaking.** (1) The
23 department of revenue shall establish a program to allow the payment of state income taxes using
24 cryptocurrency.

25 (2) The department shall contract with one or more third-party payment processors to facilitate the
26 acceptance, conversion, and remittance of cryptocurrency payments.

27 (3) The program must ensure that the state receives all tax payments in United States dollars.

28 (4) The department may adopt rules necessary to administer the program.

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2 NEW SECTION. **Section 3. Tax payments using cryptocurrency -- capital gains tax.** (1)

3 Payments of state taxes made using cryptocurrency are not considered a taxable event for the purposes of
4 determining state capital gains taxation under Title 15, chapter 30.

5 (2) The department of revenue shall ensure that taxpayers are informed of the provision in
6 subsection (1).

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8 NEW SECTION. **Section 4. Codification instruction.** [Sections 1 through 3] are intended to be
9 codified as an integral part of Title 15, chapter 30, and the provisions of Title 15, chapter 30, apply to [sections
10 1 through 3].

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12 NEW SECTION. **Section 5. Applicability.** [This act] applies to income tax years beginning after
13 December 31, 2025.

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