

HOUSE BILL NO. 453

INTRODUCED BY R. GREGG, W. GALT, E. ALBUS, G. OVERSTREET, C. SCHOMER, T. MILLETT, E.

TILLEMANN, D. ZOLNIKOV, B. LER, K. ZOLNIKOV, L. BREWSTER, B. MITCHELL

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

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

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

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

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

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

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

(3) The person paying the department bears responsibility for any costs the third-party payment processor charges for its service.

# Amendment - 1st Reading-white - Requested by: Randyn Gregg - (H) Taxation

- 2025

69th Legislature 2025

Drafter: Megan Moore,

HB0453.001.002

1           ~~(3)(4)~~ The program must ensure that the state receives all tax payments in United States dollars.

2           ~~(4)(5)~~ The department may adopt rules necessary to administer the program.

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

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

7           ~~(2) — The department of revenue shall ensure that taxpayers are informed of the provision in~~  
8           ~~subsection (1).~~

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10           ~~NEW SECTION. Section 3. Codification instruction.~~ [Sections 1 ~~through 3 and 2~~] are intended to  
11           be codified as an integral part of Title 15, chapter 30, and the provisions of Title 15, chapter 30, apply to  
12           [sections 1 ~~through 3 and 2~~].

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14           ~~NEW SECTION. Section 4. Applicability.~~ [This act] applies to income tax ~~years beginning payments~~  
15           ~~made~~ after December 31, 2025.

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- END -