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HOUSE BILL NO. 453

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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; AND~~ 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 person paying the department bears responsibility for any costs the third-party payment~~
28 ~~processor charges for its service.~~

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 1through 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 1through 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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