

1 HOUSE BILL NO. 874

INTRODUCED BY J. SCHILLINGER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING PROPERTY TAX REBATES FOR RESIDENTIAL  
5 PROPERTY OWNED BY AN ENTITY; PROVIDING THAT THE REBATE IS FOR TAX YEAR 2022 AND TAX  
6 YEAR 2023 PROPERTY TAXES PAID; PROVIDING ELIGIBILITY REQUIREMENTS; EXTENDING A  
7 STATUTORY APPROPRIATION; AMENDING SECTION 15-1-2302, MCA; AMENDING SECTION 10,  
8 CHAPTER 47, LAWS OF 2023; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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12 **Section 1.** Section 15-1-2302, MCA, is amended to read:

13 "15-1-2302. (Temporary) Property tax rebate -- manner of claiming -- limitations --

14 **appropriation.** (1) Subject to the conditions provided for in this part, there is a rebate of Montana property  
15 taxes in the amount of:

16 (a) \$500 or the amount of total property taxes paid, whichever is less, for tax year 2022; and  
17 (b) \$500 or the amount of total property taxes paid, whichever is less, for tax year 2023.

18 (2) The rebate provided for in subsection (1) is for Montana property taxes assessed to and paid  
19 by a taxpayer or taxpayers on property they owned and occupied as a principal residence during the relevant  
20 tax year.

21 (3) (a) The department shall mail a notice to potential claimants by June 30, 2023, for tax year  
22 2022 and by June 30, 2024, for tax year 2023. Receipt of a notice does not establish that a taxpayer or property  
23 owner is eligible for a rebate, and a taxpayer who does not receive a notice may still be eligible to claim a  
24 rebate. All taxpayers, regardless of the receipt of notice, shall claim a rebate as provided in subsection (5).

25 (b) The department shall mail a notice to potential claimants under subsection (5)(e) by June 30,  
26 2025. Receipt of a notice does not establish that a taxpayer or property owner is eligible for a rebate, and a  
27 taxpayer who does not receive a notice may still be eligible to claim a rebate. All taxpayers, regardless of the  
28 receipt of notice, shall claim a rebate as provided in subsection (5).

6 (i) Electronic Except as provided in subsection (6), electronic claims must be submitted between  
7 August 15 and October 1 each year through the department's website.

10 (b) Subject to subsections (5)(c) and (5)(d), a claim for rebate must be submitted, under penalty of  
11 false swearing and the penalties provided in 15-1-2303, on a form prescribed by the department and must  
12 contain:

13 (i) an affirmation that the claimant owns and maintains the land and improvements as the principal  
14 residence as defined in 15-1-2301;

15 (ii) the geocode or other property identifier for the principal residence that the claimant is  
16 requesting the rebate on;

17 (iii) the social security number of the claimant, the claimant's spouse, and any dependents; and  
18 (iv) any other information as required by the department that is relevant to the claimant's eligibility.

19 (c) The personal representative of the estate of a deceased taxpayer may execute and file the  
20 claim for rebate on behalf of a deceased taxpayer who qualifies for the rebate.

21 (d) The trustee of a grantor revocable trust may file a claim on behalf of the trust if the dwelling  
22 meets the definition of a principal residence for the grantor.

23 (e) A single-family dwelling unit, unit of a multiple-unit dwelling, trailer, manufactured home, or  
24 mobile home and as much of the surrounding land, not exceeding 1 acre, that is owned by an entity and for  
25 which a rebate was not issued pursuant to 15-1-2304 and this section before [the effective date of this act] is  
26 eligible for a rebate as provided in subsection (6).

27 (6) A claim for a rebate provided for in subsection (5)(e) must be submitted electronically or on a  
28 paper form by October 1, 2025. The department shall issue a rebate as provided in 15-1-2304 and subsection

# Amendment - 1st Reading-white - Requested by: Jerry Schillinger - (H) Appropriations

- 2025

69th Legislature 2025

Drafter: Megan Moore,

HB0874.001.002

1        (1) of this section for each tax year for which the property qualifies under subsection (5)(e).

2            (6)(7) Only one rebate for each tax year will be issued to a taxpayer for the Montana property taxes  
3    paid by the taxpayer for tax year 2022 and tax year 2023. A taxpayer who received a rebate under this section  
4    before [the effective date of this act] may not receive a rebate under subsection (5)(e). The following may not  
5    receive a rebate under this section:

6            (a) a taxpayer who was eligible to receive a rebate under this section but did not file a claim by  
7    October 1, 2023, or October 1, 2024, as applicable; and

8            (b) a taxpayer who received a rebate under this section before [the effective date of this act].

9            (7)(8) If a debt is due and owing to the state, the department may offset the rebate in this section as  
10   provided in 15-30-2629, 15-30-2630, 17-4-105, or as otherwise provided by law.

11            (8)(9) The payment of property tax rebates and administration costs related to paying property tax  
12   refunds under this section are statutorily appropriated, as provided in 17-7-502, from the general fund to the  
13   department of revenue for distribution to taxpayers and for related administration costs. (Terminates June 30,  
14   2025 2026–sec. 10, Ch. 47, L. 2023.)"

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16        **Section 2.** Section 10, Chapter 47, Laws of 2023, is amended to read:

17        **"Section 10. Termination.** [This act] terminates June 30, 2025 2026."

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19        **NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.

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