

1 SENATE BILL NO. 529

2 INTRODUCED BY G. HERTZ

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING PROPERTY TAX ABATEMENTS FOR  
5 COMMUNICATION AND INTERNET PROPERTY; EXEMPTING CERTAIN WIRELESS INFRASTRUCTURE  
6 FROM PROPERTY TAXATION; REPEALING THE PROHIBITION ON USING FEDERAL FUNDS WHEN  
7 RECEIVING THE FIBER OPTIC OR COAXIAL CABLE ABATEMENT; PROVIDING REPORTING  
8 REQUIREMENTS; AMENDING SECTIONS 15-6-135, 15-6-156, 15-6-219, AND 15-6-243, MCA; AND  
9 PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

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13 **Section 1.** Section 15-6-135, MCA, is amended to read:

14 **"15-6-135. Class five property -- description -- taxable percentage -- exemption.** (1) Class five  
15 property includes:

16 (a) all property used and owned by cooperative rural electrical and cooperative rural telephone  
17 associations organized under the laws of Montana, except property owned by cooperative organizations  
18 described in 15-6-137(1)(a);

19 (b) air and water pollution control and carbon capture equipment as defined in this section;

20 (c) new industrial property as defined in this section;

21 (d) any personal or real property used primarily in the production of ethanol-blended gasoline  
22 during construction and for the first 3 years of its operation;

23 (e) all land and improvements and all personal property owned by a research and development  
24 firm, provided that the property is actively devoted to research and development;

25 (f) machinery and equipment used in electrolytic reduction facilities;

26 (g) all property used and owned by persons, firms, corporations, or other organizations that are  
27 engaged in the business of furnishing telecommunications services exclusively to rural areas or to rural areas  
28 and cities and towns of 1,200 permanent residents or less.

1 ~~RECOGNIZED INDIAN RESERVATION, AND OTHER AREAS OF THE STATE WITH LITTLE OR NO CURRENT WIRELESS~~

2 ~~SERVICES.~~ (Subsection (1)(k) terminates December 31, 2024--sec. 16, Ch. 440, L. 2015.)"

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4 **Section 4.** Section 15-6-243, MCA, is amended to read:

5 **"15-6-243. Fiber optic or coaxial cable abatement -- wireless infrastructure abatement -- review**  
6 **and comment by local taxing jurisdictions -- report to legislative finance committee. (1)** The department  
7 shall establish a page on its website to enable:

8 ~~(1)(a)~~ owners of fiber optic or coaxial cable or wireless infrastructure intending to take advantage of  
9 the tax abatement provisions in 15-6-135, 15-6-156, and 15-6-219 to notify local governing bodies of the  
10 location or locations in which they intend to place in service fiber optic or coaxial cable or wireless  
11 infrastructure; and

12 ~~(2)(b)~~ local governing bodies to post comments on such projects identified by owners of fiber optic or  
13 coaxial cable or wireless infrastructure as provided in subsection (1)~~(a)~~.

14 ~~(2)~~ The department shall provide a report by September 1 of each even-numbered year to the  
15 legislative finance committee in accordance with 5-11-210 identifying the deployment and use of the wireless  
16 infrastructure abatement provided under 15-6-135, 15-6-156, and 15-6-219."

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18 NEW SECTION. Section 5. Effective date. [This act] is effective July 1, 2023.

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20 NEW SECTION. Section 6. Applicability. [This act] applies to fiber optic or coaxial cable and  
21 wireless infrastructure placed in service on or after [the effective date of this act].

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