



# Revenue Interim Committee

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## 68th Montana Legislature

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MEGAN MOORE, Lead Staff  
JARET COLES, Staff Attorney  
LJ JENNINGS, Secretary

TO: Committee Members

FROM: Jaret Coles, Staff Attorney

RE: Administrative Rule Activity

DATE: March 19, 2024

## Department of Revenue

*Proposal and Adoption Notices are available on the Internet:*

Department of Revenue notices can be found on the Secretary of State's website at <http://www.mtrules.org>. Under the Montana Administrative Register heading, type the number "42" in the "Search by Notice No." box and click on the "Go" icon.

### Notice of Proposed Rules:

None.

### Notice of Adopted Rules:

Housekeeping -- Property Tax -- Industrial Property -- [Senate Bill No. 46 \(2023\)](#). [MAR 42-1070](#). Adopted January 30, 2024. The Department held a public hearing, no interested persons appeared at the hearing, and no oral or written comments were received. The Department amended two rules and repealed 13 rules to implement [Senate Bill No. 46](#), which in turn repealed the new industrial property classification. The amendments to the rule were necessary to comply with the statutory changes.

The Department's statement of reasonable necessity provided: "Historically, new industrial property classification was an incentive to reduce the tax rate for class five qualifying assets to three percent. But over time the asset's tax rate shifted lower and lower, and once it was equal to the three percent tax rate for personal property, there was no incentive for a taxpayer to apply for new industrial property classification. The classification is irrelevant, and the department has seen no applications for over 20 years."

Housekeeping -- Livestock Reporting Deadline Revisions -- [House Bill No. 66 \(2023\)](#). [MAR 42-1074](#).

Adopted February 27, 2024. No requests for a public hearing were received and the Department did not

receive any written comments in support of or opposition to the proposed amendment. The Department amended one rule ([42.21.165](#)) to implement [House Bill No. 66](#), which in turn revised the livestock per capita fee payment due date, provided a grace period for reporting livestock brought into the state, and made the livestock per capita fee payment due date the same as the reporting due date. The amendments to the rule were necessary to comply with the statutory changes.

## **Montana Tax Appeal Board**

**Notice of Proposed Rules:** None

**Notice of Adopted Rules:** None