

HOUSE BILL NO. 453

INTRODUCED BY R. GREGG, W. GALT, E. ALBUS, G. OVERSTREET, C. SCHOMER, T. MILLETT, E.
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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; 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 program must ensure that the state receives all tax payments in United States dollars.

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

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

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

5 (2) The department of revenue shall ensure that taxpayers are informed of the provision in
6 subsection (1).

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8 NEW SECTION. **Section 4. Codification instruction.** [Sections 1 through 3] are intended to be
9 codified as an integral part of Title 15, chapter 30, and the provisions of Title 15, chapter 30, apply to [sections
10 1 through 3].

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12 NEW SECTION. **Section 5. Applicability.** [This act] applies to income tax years beginning after
13 December 31, 2025.

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