



ADMINISTRATIVE RULES OF MONTANA

42.19.1235 PROPERTY TAX ABATEMENT FOR NEW OR EXPANDING INDUSTRY

- (1) An applicant must make application to the governing body of the affected taxing jurisdiction on a form provided by the department. The form shall include, among other information, a specific description of the improvement or modernized process for which specialized tax treatment is requested, the date when construction or installation is to commence or has commenced and the date when it is to be completed. The governing body of the affected taxing jurisdiction must approve the application and pass an approving resolution before tax benefits under 15-24-1402, MCA, can be received.
- (2) In order to be considered for the current tax year, an application must be filed on the form available from the department on or before March 1 of the tax year.
- (3) The applicant must notify the department by sending a copy of the approved application described in (1) within 30 days after receiving approval from the affected taxing jurisdiction.
- (4) The preceding year and current year's additions and investments may be considered and included for purposes of determining whether the threshold investment levels specified in 15-24-1401, MCA have been met.
- (5) The department shall appraise the applicant's property after expansion or modernization.
- (6) Only the increased value attributed to the expansion or modernization will receive tax incentives under 15-24-1402, MCA.
- (7) Additional expansion or modernization of property constructed in tax years subsequent to an expansion approved for tax incentives under 15-24-1402, MCA, does not qualify for an additional tax incentive unless an additional application is filed and an approving resolution passed.

Authorizing statute(s): 15-1-201, MCA

Implementing statute(s): 15-6-135, 15-24-1401, 15-24-1402, MCA

History: NEW, 1988 MAR p. 742, Eff. 4/14/88; TRANS, from ARM 42.19.1220, AMD, 1991 MAR p. 2638, Eff. 12/27/91; AMD, 1992 MAR p. 2559, Eff. 11/26/92; AMD, 1997 MAR p. 2297, Eff. 12/16/97; AMD, 2005 MAR p. 667, Eff. 4/29/05; AMD, 2020 MAR p. 703, Eff. 4/18/20; AMD, 2024 MAR p. 284, Eff. 2/10/24.