



ADMINISTRATIVE RULES OF MONTANA

42.20.119 AMMUNITION COMPONENTS MANUFACTURING - PROPERTY TAX EXEMPTION APPLICATIONS

- (1) The property owner of record or the property owner's agent must file an application, on a form provided by the department, for a property tax exemption for the manufacture of ammunition components, as defined in 30-20-203, MCA. The exemption applies only to property taxes levied on class eight personal property and to the mills levied on real property for state educational purposes, as described in 30-20-204, MCA. The application filing deadline for each tax year for which the exemption is being sought is March 1.
- (2) Applications postmarked after the dates in (1) will be considered for the following tax year unless the department determines, on a case-by-case basis, that the applicant can demonstrate that unusual or personal circumstances existed in the tax year for which the application is being submitted that prevented timely filing of the application.
- (3) The following criteria must be met in order to qualify for the exemption:
 - (a) the person or business entity must engage in the manufacture of ammunition components, in Montana, as their primary business as defined in 30-20-203, MCA;
 - (b) the products of the business are and must remain available to commercial and individual consumers in the state;
 - (c) the business entity must sell its products to in-state commercial and individual consumers for a price no greater than that for out-of-state purchasers, including any products that leave the state regardless of destination or purchaser; and
 - (d) the business entity must not enter into any agreement or contract that could actually or potentially command or commit all of its production to out-of-state consumers or interfere with or prohibit sales and provision of products to in-state consumers.
- (4) The exemption applies only to:
 - (a) class eight personal property;
 - (b) improvements used to:
 - (i) manufacture ammunition components; or
 - (ii) store products manufactured onsite; and
 - (c) land owned by the person or business entity of any improvement used to either manufacture or store ammunition components. The property to be exempted is measured from each corner of a structure used for the manufacture or storing of ammunition components to a distance of 500 yards. Property owned by the person or business entity

that is not used for the manufacture of ammunition components is not subject to the exemption.

- (5) The department will verify eligibility requirements once the application form is received. The department may request additional information from the applicant during the application review process to verify property use and ownership.
- (6) Upon receipt of the application and supporting documents, the department will perform a field evaluation. The department will approve or deny the application, and notify the applicant, the local department office, and the county treasurer of its decision in writing.

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

Implementing statute(s): 15-6-219, 15-6-235, 15-24-1410, 30-20-201, 30-20-202, 30-20-203, 30-20-204, 30-20-205, 30-20-206, MCA

History: NEW, 2016 MAR p. 1862, Eff. 10/15/16; AMD, 2017 MAR p. 2090, Eff. 11/10/17.