

HOUSE BILL NO. 854

INTRODUCED BY L. SCHUBERT, T. NELSON, W. MCKAMEY, G. LAMMERS, T. MCGILLVRAY, K. ZOLNIKOV, L. DEMING, E. BYRNE, N. DURAM, P. FIELDER, R. GREGG, G. KMETZ, K. LOVE, B. MITCHELL, G. NIKOLAKAKOS, G. PARRY, C. SCHOMER, T. SHARP, M. THIEL

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING AN INCOME TAX CREDIT TO OFFSET THE COST OF A FIREARM SUPPRESSOR; PROVIDING THAT THE TAX CREDIT MAY BE CLAIMED AGAINST ONLY THE COST OF A FEDERALLY REQUIRED PURCHASE OF A TAX STAMP; PROVIDING A DEFINITION; AND PROVIDING A DELAYED EFFECTIVE DATE, AN APPLICABILITY DATE, AND A TERMINATION DATE."

WHEREAS, firearm suppressors or silencers are an effective means to combat widespread health concerns for hunters and helps prevent shooters from long-term hearing damage; and

WHEREAS, the federal government mandates the purchase of firearm suppressor tax stamps for these safety devices, which are already expensive; and

WHEREAS, the state of Montana has an opportunity to encourage citizen safety.

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

NEW SECTION. **Section 1. Firearm suppressor tax credit -- purpose.** (1) There is a credit against

the tax imposed by this chapter to offset the cost of one firearm suppressor tax stamp purchased by a taxpayer.

(2) The credit allowed under this section must be claimed in the tax year in which a firearm suppressor tax stamp is purchased, and the maximum amount of the credit is equal to the lesser of the cost for the firearm suppressor tax stamp or \$50 for each taxpayer claiming the credit.

(3) The credit must be refunded if the taxpayer has a tax liability less than the credit claimed.

(4) Pursuant to 5-4-104, the legislature finds that the purpose of the tax credit provided for in this section is to protect shooters from long-term hearing damage by offsetting costs imposed by the federal government for a safety device.

1 (5) As used in this section, "firearm suppressor tax stamp" means a stamp affixed to a federal
2 bureau of alcohol, tobacco, firearms and explosives form 1 or form 4 application to register a muffler or silencer.

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4 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
5 integral part of Title 15, chapter 30, and the provisions of Title 15, chapter 30, apply to [section 1].

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7 NEW SECTION. Section 3. Effective date. [This act] is effective January 1, 2026.

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9 NEW SECTION. Section 4. Applicability. [This act] applies to income tax years beginning on or after
10 January 1, 2026.

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12 NEW SECTION. Section 5. Termination. [This act] terminates December 31, 2027.

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