

Welcome to Tax News You Can Use!

[Contact us with questions or suggestions.](#)

Espinoza v Montana Department of Revenue Update

The Montana Supreme Court ruled in *Espinoza v. Montana Department of Revenue* that section [15-30-3111, MCA \(the Student Scholarship Organization Program\)](#) is unconstitutional.

The *Espinoza* plaintiffs have requested that the Montana Supreme Court stay its decision pending their appeal to the United States Supreme Court. Final resolution of this issue is pending before the Supreme Court of the United States.

Because the *Espinoza* decision was determined by the Montana Supreme Court late in calendar year 2018, the department has not discontinued the scholarship tax credit program for tax year 2018. However, if the U.S. Supreme Court upholds the *Espinoza* decision, the department will disallow the credit for tax year 2018 and future years and will recapture the credit for years prior to tax year 2018.

Individual Income Tax Interest Rate Updated

Effective January 1, 2019, the annual Individual Income Tax Interest Rate is 5%

The interest rate is assessed on overdue individual income tax payments.

Each year the interest rate is based on the underpayment rate established by the United States Department of Treasury for the third quarter of the proceeding year.

[Learn more about Interest, Penalties, and Late Fees](#)

Withholding Filing Guidelines

We have updated guidelines for filing your Montana Annual W-2/1099 Withholding Tax Reconciliation (Form MW-3) on our website. These guidelines will help you avoid the most common mistakes when filing Form MW-3. Errors or incomplete submissions may cause delays in processing reconciliations and validating tax refunds for your employees or others.

Montana Annual W-2 1099 Withholding Tax Reconciliation (Form MW-3) is due January 31.

[Read the Guidelines on our Website](#)

[File your MW-3 in TAP](#)

Livestock Reporting due March 1

Livestock reports are due March 1, 2018. Livestock owners can report their livestock online January 1 through March 1 at ReportYourLivestock.mt.gov

[Learn More](#)

Equipment Reporting due March 1

Business and Industrial Equipment owners need to submit their 2019 reporting form online through our [TransAction Portal \(TAP\)](#).

[Learn More](#)

Calendar Events

January 1 through March 1, 2019

- [Livestock Reporting](#)
- [Business Equipment Reporting](#)

January 30, 2019

- [Quarterly Consumer Counsel Fee \(CCT\) Due](#)
- [Quarterly Public Service Commission Fee \(PSR\) Due](#)
- [Wholesale Energy Transaction \(WET\) Tax Due](#)
- [Quarterly Oil & Natural Gas Production Tax Due](#)
- [Quarterly Natural Resource Production Taxes Due](#)

January 31, 2019

- [Annual Withholding Reports \(MW-3\) Due](#)
- [Annual Hospital Facility Utilization Fee Returns Due](#)
- [Quarterly Miscellaneous Tax Returns Due](#)

February 14, 2019

- [Second 2018 Bentonite Production Tax Returns and Payments Due](#)

February 15, 2019

- [Monthly Alcoholic Beverage Reports Due](#)
 - [Monthly Cigarette and Tobacco Returns Due](#)
 - [Monthly Wage Withholding Payments Due](#)
 - [Supplier Liquor Price Book Submissions Due](#)
-

[See the Tax News You Can Use Archives](#)

[Facebook](#) | [Twitter](#) | [LinkedIn](#) | [YouTube](#)

Please do not reply to this email. To contact us, please email DeptRevenueMediaPublicInfo@mt.gov