

Income/Franchise:

Montana DOR Adopts Rule Changes Reflecting Elimination of Tax Haven Jurisdictions List

Amended ARM 42.26.311 and Repeal of ARM 42.26.306, Mont. Dept. of Rev. (6/21/24). The Montana Department of Revenue adopted rule changes reflecting state corporate income tax legislation enacted in 2023 [see S.B. 246 (2023) and *State Tax Matters*, Issue 2023-21, for more details on this legislation] which removed “tax haven” corporations from the water’s-edge group of affiliated corporations effective for tax periods beginning after December 31, 2022. The rule changes reflect how C corporations in a unitary relationship with a taxpayer incorporated in a previously designated tax haven no longer need to have their income and apportionment factors included in the water’s-edge combined filing group. Please contact us with any questions.

URL: <https://rules.mt.gov/browse/collections/5e1173a6-33c7-4df8-b426-5e0077cfc430/policies/c149615c-ecf2-466f-aa54-e221db82cbac>

URL:
[http://laws.leg.mt.gov/legprd/LAW0203W\\$BSRV.ActionQuery?P_SESS=20231&P_BLTP_BILL_TYP_CD=SB&P_BILL_NO=246&P_BILL_DFT_NO=&P_CHPT_NO=&Z_ACTION=Find&P_ENTY_ID_SEQ2=&P_SBJT_SBJ_CD=&P_ENTY_ID_SEQ=](http://laws.leg.mt.gov/legprd/LAW0203W$BSRV.ActionQuery?P_SESS=20231&P_BLTP_BILL_TYP_CD=SB&P_BILL_NO=246&P_BILL_DFT_NO=&P_CHPT_NO=&Z_ACTION=Find&P_ENTY_ID_SEQ2=&P_SBJT_SBJ_CD=&P_ENTY_ID_SEQ=)
URL: https://dhub.deloitte.com/Newsletters/Tax/2023/STM/230526_2.html

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