



GOVERNOR GREG GIANFORTE
DIRECTOR BRENDAN BEATTY

November 7, 2024

Dear Free File Alliance Tax Software Developer:

The Montana Department of Revenue would like to partner with software industry members of the Free File Alliance (FFA) to encourage electronic filing of Montana tax returns. We are asking for your participation in the Montana Free File program for Tax Year 2024.

Montana will provide a link to your company's online Free File tax preparation software through the Montana Department of Revenue Web site if your company:

1. Offers free electronic return preparation and filing services for both the Federal and Montana tax returns to Montana taxpayers filing for Tax Year 2024 (Free Services); and
2. Successfully completes both the Internal Revenue Service (IRS) and Montana Participant Acceptance Testing (PATS) system tests, each year.

In addition, your offer must meet the following standards:

1. We must receive the eligibility requirements for your Montana Free File offer no later than January 16th, but preferably earlier in mid-December, to assure placement of your offer listing on our Free File web page at the opening of e-filing. With your authorization, Montana will publish this information on our Web site as soon as it becomes available. This gives our taxpayers time to review the offers before they are ready to file their returns.
2. The eligibility requirements must be stated in terms that are clear and will be readily understood by the targeted taxpayers.
3. All eligible Montana filers must be able to receive the Free Services whether they access your product through the Montana Web site or via www.irs.gov.

4. Eligibility requirements for free Montana services must match the eligibility requirements for free federal services to avoid taxpayer confusion and concerns. If the eligibility requirements for your free federal services are changed during the filing season, as permitted no more than twice per year, you must immediately notify the Montana Department of Revenue so the listing on the State's Free File web page can be updated accordingly.
5. Returns e-filed under the Montana Free File program will include the "Free File" Special Program Type in the Return Header as specified in the Montana schema (equivalent to the "Consortium Return Code," Field 0285 in the Return Header of the federal schema).
6. You must agree to provide Montana with the number of Montana Free File returns filed under the program with your software on an as-requested basis (not to exceed one request per month) throughout the e-file season. Montana will combine your data with the data from other Free File software developers and disclose it only as an aggregate total.

The Montana Free File program incorporates by reference the applicable terms and conditions of the federal Free File program as memorialized in the Free File Policy Agreement of October 30, 2002, between the Internal Revenue Service and the Free File Alliance LLC, as amended, and any applicable IRS/FFA Memoranda of Understanding applicable through filing season 2024. The applicable terms and conditions include, for example, any service levels, required disclosures and testing, privacy, security, and the other mutual covenants contained in those documents.

Montana Department of Revenue will work with the Free File software developers to develop the content that will appear on the State Web page. However, Montana Department of Revenue has final approval of that content. Montana Department of Revenue will not endorse or recommend specific products or businesses but will promote the availability of the Free Services.

Montana retains the right to accept electronic returns and to provide links from its or other Montana Web sites to businesses offering electronic return preparation and/or filing services to Montana taxpayers, whether the business is a participant in the Federal Free File Alliance or not. However, the Montana Department of Revenue will only solicit and list Federal Free File program participating companies and the Montana

Department of Revenue cannot offer a state sponsored software program in filing season 2024.

Either party may terminate this agreement upon written notice if the other party is in material breach and such breach remains uncorrected for thirty (30) days following receipt of written notice. A "force majeure event" (e.g., acts of God, Internet failures, or other acts beyond one's reasonable control) shall not be considered a material breach. Additionally, either party may terminate this agreement for any reason with at least thirty (30) days' written notice, effective no earlier than October 20th of the applicable tax filing season.

If you wish to participate in this program, please forward your notice of intent to provide Free Services to Montana taxpayers to:

DORe-Services@mt.gov

We look forward to partnering with FFA software developer companies to promote Free Services to Montana taxpayers. In the meantime, if you have any questions, they may be directed to our Information Governance Unit at (406) 444-4457 or via e-mail at DORe-Services@mt.gov.

Sincerely,

Kacee Redli
Information Governance Unit Manager
Montana Department of Revenue