



## Power of Attorney Authorization to Disclose Information



File online at [revenue.mt.gov](http://revenue.mt.gov) on TAP.

### PART I

**Caution! Taxpayers who would like to designate someone else to represent them before the Department of Revenue must complete and submit this form. Spouses filing a joint return must each complete a separate form.**

This form will not be honored for any purpose other than representation before the Department of Revenue. This form cannot be used for any purpose other than designating representation before the Department of Revenue.

**Notice:** The department will accept a completed federal form 2848 as a power of attorney for representation before the Department of Revenue if Part I, Section 3, Matters, includes the tax type, the tax form number and year(s) or period(s) that the representative is authorized to discuss with the department. If you use the federal form, you must provide a copy to the Department of Revenue.

**1. Taxpayer Information.** Taxpayers must sign and date this power of attorney form on page 2, section 6.

Taxpayer Name and Address	Taxpayer Identification Number(s)
	Telephone Number

hereby appoints the following representative(s) as attorney(s)-in-fact:

**2. Representative(s)**

Name and Address	PTIN
	Telephone Number
	FAX Number
	Email Address
Name and Address	PTIN
	Telephone Number
	FAX Number
	Email Address

to represent the taxpayer before the Montana Department of Revenue for the following matters:

**3. Tax Matters and Tax Years Covered by This Form**

Your representative is authorized to inspect, receive and discuss confidential information for the tax types and tax years you authorize by checking the appropriate boxes below and inserting the specific tax years. If tax matters and tax periods are not specified, you are authorizing the representative access to all tax matters and years until you revoke such authorization.

<p style="text-align: center;"><i>Provide specific tax years</i></p> <p><input type="checkbox"/> Individual Income Tax _____</p> <p><input type="checkbox"/> Corporation Income Tax _____</p> <p><input type="checkbox"/> S Corporation _____</p> <p><input type="checkbox"/> Partnership _____</p>	<p style="text-align: center;"><i>Provide specific tax years</i></p> <p><input type="checkbox"/> Rental Vehicle Tax _____</p> <p><input type="checkbox"/> Withholding Tax _____</p> <p><input type="checkbox"/> Lodging Facilities Tax _____</p> <p><input type="checkbox"/> Combined Oil and Gas Tax _____</p> <p><input type="checkbox"/> Other, please specify below _____</p> <p style="text-align: center;">_____</p>
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**4. Acts Authorized by This Form**

Check the box that best describes what authorization you are delegating to your representative.

- Representation. Department employees can provide confidential information to the representative and discuss the information.
- Information sharing. Department employees can provide confidential information to the representative, but cannot discuss the information.
- Decision-making authority. Department employees can provide confidential information to a representative, can discuss the information and the representative can act on the taxpayer’s behalf for all purposes, including settlement and waiver of appeal rights.

**5. Revocation of Prior Power(s) of Attorney**

Check this box if you want all prior POAs revoked.

If you are a representative and want to withdraw an existing POA, write WITHDRAW across the top of the existing form. See instructions on page 3.

**6. Signature of taxpayer.** If a tax matter concerns a year in which a joint return was filed, the spouses each file a separate power of attorney even if the same representative(s) is(are) appointed. If signed by a corporate officer, partner, guardian, tax matters partner, executor, receiver, administrator, fiduciary or trustee on behalf of the taxpayer, I certify that I have the authority to execute this form on behalf of the taxpayer.

**If not signed and dated, this power of attorney will not be in effect and the taxpayer will be notified.**

Signature	Date	Title (if applicable)
Print Name		Print Taxpayer Name from Line 1 (if other than individual)

**PART II. Declaration of Representative**

I declare that:

- I am authorized to represent the taxpayer identified in Part I for the matter(s) specified there; and
- I am one of the following:
  - a. Attorney - licensed to practice law in the jurisdiction shown below.
  - b. Certified Public Accountant - duly qualified to practice as a certified public accountant in the jurisdiction shown below.
  - c. Enrolled Agent or Licensed Public Accountant, etc.
  - d. Officer - a bona fide officer of the taxpayer’s organization.
  - e. Full time employee - a full time employee of the taxpayer.
  - f. Family member - a member of the taxpayer’s immediate family (for example, spouse, parent, child, grandparent, step-parent, step-child, brother or sister).
  - g. Other

**Representative Signature.** See instructions on page 4.

Designation - Insert Letter from Above (a-g)	Relationship to Taxpayer (see instructions for Part II)	Signature	Date

**Filing this Form**

- ▶ **File Online on TransAction Portal at <https://tap.dor.mt.gov>.**
- ▶ **Fax to:** (406) 444-7723.  
*Or*, if you are already working with a department employee, fax your completed form to the number provided by that person.
- ▶ **Mail the completed form to:**  
Montana Department of Revenue  
340 N. Last Chance Gulch  
PO Box 5805  
Helena, MT 59604-5805

# Instructions for Power of Attorney

## Authorization to Disclose Tax Information

### Part I

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#### Section 1. Taxpayer Information

**Individual.** Enter your name, personal address, social security number (SSN), telephone number, individual taxpayer identification number (ITIN) and/or federal employee identification number (FEIN) if applicable. Do not use your representative's address or post office box for your own. If you file a tax return that includes a sole proprietorship business (federal Schedule C) and the matters for which you are authorizing the listed representative(s) to represent you include your individual and business tax matters, including employment tax liabilities, enter both your SSN (or ITIN) and your business FEIN as your taxpayer identification numbers. If the tax matter concerns a joint return, a separate power of attorney form is required for each spouse.

**C Corporation, S corporations, partnership, limited liability company or association.** Enter the name, business address, federal employer identification number (FEIN), and telephone number. If this form is being prepared for C corporations filing a combined tax return, a list of subsidiaries is not required. This power of attorney applies to all members of the combined tax return.

**Trust.** Enter the name, title, address of the trustee, the name and FEIN of the trust and telephone number.

**Estate.** Enter the name of the decedent as well as the name, title and address of the decedent's personal representative. Enter the estate's FEIN for the taxpayer identification number or, if the estate does not have an FEIN, the decedent's SSN (or ITIN).

#### Section 2. Authorization of Representative

Enter your representative's full legal name. **Only individuals** may represent you before the Department of Revenue. Use the identical full name on all submissions and correspondence. Enter the representative's telephone number, address or post office box and e-mail address, if applicable.

If a trust, estate, guardianship or conservatorship wants an individual other than the personal representative, trustee or other fiduciary to handle tax matters before the Department of Revenue, the personal representative, trustee or other fiduciary must complete this form and designate the other individual with the power of attorney. Otherwise, the personal representative, trustee or other fiduciary has the requisite authority to handle tax matters before the Department of Revenue and need not complete this form.

#### Section 3. Tax Matters and Tax Years Covered by the Form

Indicate, by checking the appropriate boxes, what tax types you are authorizing your representative to inspect, receive and discuss with the Department of Revenue.

You may list any tax years or periods that have already ended as of the date you sign the form.

If the matter relates to estate tax, enter the date of the decedent's death instead of a tax year.

If the tax matter and tax periods aren't specified, you are authorizing the representative access to all tax matters and years until you revoke their authorization.

#### Section 4. Acts Authorized by This Form

If you are providing authorization to another individual, check one of the three boxes depending on what authorization you are providing to your representative. A disclosure authorized by this form may take place by telephone, letter, facsimile, email or a personal visit.

**Note:** If you check the "yes" box on the individual tax return next to the question "Do you want to allow another person (third party designee) to discuss this return with us?" you authorize Department of Revenue employees to discuss *the tax return* with the third party designee. They cannot discuss any other issues, such as outstanding tax liabilities, without a completed power of attorney form.

#### Section 5. Revocation of Prior Power(s) of Attorney

**Taxpayer Revocation.** Check the box if you want all prior POAs revoked.

**Revocation Withdraw by Representative.** If you are a representative and want to revoke an existing POA, write REVOKE across the top of the form and submit the form as indicated on page 4.

#### Section 6. Signature

**Individual.** You must sign and date the form. If you file a joint return, your spouse must execute his or her own Montana power of attorney to designate a representative.

**Corporation or association.** An officer having authority to bind the corporation must sign.

**Partnership.** All partners must sign unless one partner is authorized to act in the name of the partnership. A partner is authorized to act in the name of the partnership if, under Montana law, the partner has authority to bind the partnership. If there is any doubt whether a partner has the authority to bind the partnership, it is best that all partners sign the form.

**Limited Liability Company (LLC).** If the LLC is member-managed, all members must sign, unless one member is authorized to act in the name of the LLC. If the LLC is manager-managed, the manager must sign.

**Estate, trust or other fiduciary.** As discussed in Section 2, if a trust, estate, guardianship or conservatorship wants an individual other than the personal representative, trustee or other fiduciary to handle tax matters before the Department of Revenue, the personal representative, trustee or other fiduciary must complete this form and designate the other individual with the power of attorney. Thus, the personal representative of an estate must sign. The trustee of a trust

must sign. If a guardian or conservator has been appointed for a taxpayer, the guardian or conservator must sign. In all cases, the fiduciary must include the representative capacity in which the fiduciary is signing, such as "John Doe, guardian of Jane Roe."

## **Part II. Declaration of Representative**

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The representative(s) you name may sign and date the Declaration of Representative. Enter the applicable designation (items a-g) under which the representative is authorized to handle matters before the Department of Revenue. In addition, provide a brief description of the representative's relationship to the taxpayer:

- a. Attorney – Enter the two-letter abbreviation for the state in which the attorney is admitted to practice.
- b. Certified Public Accountant – Enter the two-letter abbreviation for the state in which the CPA is licensed to practice.
- c. Enrolled Agent, Licensed Public Accountant, etc.
- d. Officer – Enter the title of the officer (for example, President, Vice President, Secretary, etc.).
- e. Full-Time Employee – Enter title or position (for example, Comptroller, Accountant, etc.)

- f. Family Member – Enter the relationship to the taxpayer (for example, spouse, parent, child, brother, sister, etc.).
- g. Other – Identify the type of representative and enter a brief description of the representative's relationship to the taxpayer.

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**Questions?** Please call us at (406) 444-6900.



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