

MONTANA STATE EXEMPTION STATUTES

FEDERAL BANKRUPTCY EXEMPTIONS ARE NOT AVAILABLE.
All law references are to Montana Code Annotated.

| ASSET | EXEMPTION | LAW PROVISION |
|-------------------|--|---|
| Homestead | Real property or mobile home occupied by debtor to \$40,000; sale, condemnation or insurance proceeds exempt 18 months Must record homestead declaration before filing for bankruptcy | 70-32-104, 70-32-201, 70-32-216 70-32-105 |
| Insurance | Annuity contract proceeds to \$350 per month Disability or illness proceeds, avails or benefits Fraternal benefits society benefits Group life insurance or proceeds Hail insurance benefits Life insurance proceeds if clause prohibits proceeds from being used to pay beneficiary's creditors Medical, surgical or hospital care benefits Unmatured life insurance contracts to \$4000 | 33-15-514 25-13-608(1)(d), 33-15-513 33-7-522 33-15-512 80-2-245 33-20-120 25-13-608(1)(e) 25-13-609(4) |
| Miscellaneous | Alimony, child support Property of business partnership | 25-13-608(1)(f) 35-10-502 |
| Pensions | ERISA-qualified benefits deposited over 1 year before filing bankruptcy in excess of 15% of debtor's annual income Firefighters Game wardens Highway patrol officers Judges Police officers Public employees Sheriffs Teachers University system employees | 31-2-106 19-11-612(1), 19-13-1004 19-8-805(2) 19-6-705(2) 19-5-704 19-9-1006, 19-10-504(1) 19-3-105(1) 19-7-502(2) 19-4-706(2) 19-21-212 |
| Personal Property | Appliances, household furnishings, goods, animals with feed, crops, musical instruments, books, firearms, sporting goods, clothing & jewelry to \$600 per item, \$4500 total Burial plot Cooperative association shares to \$500 value Health aids Motor vehicle to \$1200 Proceeds for damaged or lost exempt property for 6 months after received | 25-13-609(1) 25-13-608(1)(g) 35-15-404 25-13-608(1)(a) 25-13-609(2) 25-13-610 |
| Public benefits | Aid to aged, disabled, AFDC Crime victims' compensation Local public assistance Silicosis benefits Social security Subsidized adoption benefits Unemployment compensation Veterans' benefits Vocational rehabilitation to the blind Workers' compensation | 53-2-606 53-9-129 25-13-608(1)(b) 39-73-110 25-13-608(1)(b) 53-2-607 31-2-106(2), 39-51-3105 25-13-608(1)(1) 53-2-607 39-71-743 |
| Tools of trade | Implements, books & tools of trade to \$3000 Uniforms, arms, accoutrements needed to carry out government functions | 25-13-609(3) 25-13-613(b) |
| Wages | Minimum 75% of earned but unpaid wages; bankruptcy judge may authorize more for low-income debtors | 25-13-614 |
| WILD CARD | NONE | |