

(6) THIS SUBSECTION DOES NOT PROHIBIT ANY COUNTY FROM ACCEPTING FUNDS FROM PRIVATE SOURCES AND USING THOSE PRIVATE FUNDS TO PURCHASE DEVELOPMENT RIGHTS, GUARANTEE LOANS THAT ARE COLLATERALIZED BY DEVELOPMENT RIGHTS, OR PROVIDE FINANCIAL ENHANCEMENTS RELATED TO PURCHASE OF DEVELOPMENT RIGHTS.

(c) [(1) Except as provided for Montgomery County in subsection (d) of this section, if] IF any revenue in the special county account has not been expended or committed on or before 3 years from the date of deposit into the county account, the county collector shall [transfer the funds to the county's program open space account. The funds transferred under this paragraph shall be in addition to any funds that would otherwise be allotted to the county under § 5-903 of the Natural Resources Article. The funds transferred under this paragraph may be used only to acquire woodland or to purchase agricultural easements] REMIT THAT REVENUE TO THE COMPTROLLER FOR DEPOSIT IN THE MARYLAND AGRICULTURAL LAND PRESERVATION FUND.

[(2) If on or before 5 years from the date of deposit of revenue into the Maryland Agricultural Land Preservation Fund under paragraph (1) of this subsection the county is able to use the revenue as provided by subsection (b) of this section, the Comptroller shall return the revenue to the county.]

[(d) In Montgomery County, 50% of the revenue retained shall be held in a special account and shall be deemed and used as the State matching fund share for agricultural land preservation.]

[(e)] (D) From the agricultural land transfer tax collected by it, the Department shall remit the county part of the revenue to the collector for the county in which the land is located for distribution under this section.

SECTION 2. AND BE IT FURTHER ENACTED, That during the fiscal year commencing July 1, 1990 only, a county that demonstrates to the Office of Planning and the Maryland Agricultural Land Preservation Foundation that it has established effective programs to encourage participation by farmers in agricultural land preservation efforts shall be certified by the Office and the Foundation under § 5-408 of the State Finance and Procurement Article without following the process required under § 5-408. A certification of a county in accordance with this section shall remain effective for 2 years and shall make the county eligible for the additional funds available to certified counties under § 2-508.1 of the Agriculture Article and § 13-306 of the Tax - Property Article.

SECTION 3. AND BE IT FURTHER ENACTED, That in its annual report under § 2-506 of the Agriculture Article, the Maryland Agricultural Land Preservation Foundation shall include an evaluation of easement sales under both Round 1 and Round 2, by county, so as to permit an evaluation of which counties receive the most benefit under the Foundation and the certification program under § 2-508.1 of the Agriculture Article.

SECTION 4. AND BE IT FURTHER ENACTED, That the Departments of