

Section 9. Subsection (d) of Section 84-25, Chapter 84, title "Finance and Taxation," of the Montgomery County Code 1965, as amended, is hereby repealed and re-enacted, with amendments, to read as follows:
84-25. Levied; amount.

(d) Such percentage as hereafter stated, of the value of the consideration for any transfer of land which, while owned by the transferor, has been assessed at any time during the five years preceding transfer on the basis of being actively devoted to farm or agricultural use, said tax to be paid by the transferor of such land.

(i) Six percent of the value of the consideration for any transfer which occurs after June 30, 1969, but before July 1, 1970.

(ii) Four percent of the value of the consideration for any transfer which occurs after June 30, 1970, but before July 1, 1971.

(iii) Two percent of the value of the consideration for any transfer which occurs after June 30, 1971, but before July 1, 1972.

(iv) No tax shall be levied under this subsection (d) after June 30, 1972.

The tax levied in this subsection (d) shall not apply to transfers which are made pursuant to a bona fide written contract or agreement entered into prior to July 1, 1969; provided that the director of finance may require satisfactory proof that the contract or agreement was entered into prior to such date. Any tax collected under this subsection (d), which is based on the bona fide market value consideration of the property, shall be collected only once on the transfer of the same parcel of land; provided however, all subsequent transfers shall be taxable at the rates applicable under subsections (a), (b) and (c) of Section 84-25. The director of finance may from time to time issue written regulations pertaining to the collection of the tax levied in this subsection.

Section 10. Severability.

The provisions of this Act are severable and if any provision, sentence, clause, section or part thereof is held illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of the Act or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Act would have been adopted if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included therein, and if the person or circumstances to which the Act or any part thereof is inapplicable had been specifically exempted therefrom.

Section 11. Effective date.

This Act shall take effect on December 7, 1970.

Chapter 41

(Bill No. 44-69)

An Act to amend Chapter 2, title "Administration," of the Montgomery County Code 1965, by repealing and re-enacting, with amend-