

~~DATE ON WHICH THE OWNER OR OTHER PERSON HAVING A PROPERTY INTEREST IN THE LAND RECORDS ANY PLAT, AS DETERMINED BY REGULATIONS OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION. CRITERIA DETERMINING WHETHER LAND USE IS CHANGED FROM AGRICULTURAL TO NONAGRICULTURAL SHALL INCLUDE BUT SHALL NOT BE LIMITED TO THE FOLLOWING: THE ASSESSMENT SHALL BE CHANGED FROM AGRICULTURAL TO NONAGRICULTURAL WHEN THE OWNER OF OR OTHER PERSON HAVING A PROPERTY INTEREST IN THE LAND COMMENCES OR ENGAGES IN THE CONSTRUCTION OF IMPROVEMENTS FOR NONAGRICULTURAL USE, OTHER THAN FOR RESIDENTIAL USE OF THE OWNER OR HIS IMMEDIATE FAMILY, OR THE DATE ON WHICH THE OWNER OR OTHER PERSON HAVING A PROPERTY INTEREST IN THE LAND RECORDS A PLAT.~~

(III) TWO-THIRDS OF THE MONEY COLLECTED BY TAX COLLECTING AUTHORITIES OF THE VARIOUS SUBDIVISIONS IN PAYMENT OF THE PRINCIPAL AND INTEREST TO SATISFY ANY TAX UNDER SUB-SUBPARAGRAPH (2) (B) (I) OF SUBSECTION (B) OF THIS SECTION SHALL BE HELD IN A SPECIAL ACCOUNT AND PAID OVER TO THE COMPTROLLER OF THE TREASURY AT SUCH TIMES AND INTERVALS AS THE COMPTROLLER SPECIFIES. THE COMPTROLLER SHALL PLACE ALL PROCEEDS IN THE MARYLAND AGRICULTURAL PRESERVATION FUND TO BE USED FOR THE PURPOSES SET FORTH IN SECTION 2-505 OF THE AGRICULTURE ARTICLE.

(IV) ONE-THIRD OF THE MONEY COLLECTED BY THE TAX COLLECTING AUTHORITIES PURSUANT TO THE PROVISIONS OF SUB-SUBPARAGRAPH (2) (B) (I) OF SUBSECTION (B) OF THIS SECTION AND IN MONTGOMERY COUNTY TWO-THIRDS OF THE MONEY COLLECTED SO LONG AS IT CONTINUES TO IMPOSE A TRANSFER TAX SUBSTANTIALLY SIMILAR TO THAT IMPOSED BY MONTGOMERY COUNTY CODE SECTION 52-21(D) (1979), SHALL BE HELD IN A SPECIAL ACCOUNT BY THE SUBDIVISION AND SHALL BE USED FOR AN APPROVED AGRICULTURAL LAND PRESERVATION PROGRAM, INCLUDING BOND ANNUITY FUNDS OR MATCHING FUNDS. THE FUNDS PLACED IN THE SPECIAL ACCOUNT BY THE SUBDIVISIONS MAY BE RETAINED BY THEM FOR A PERIOD OF 3 YEARS. IF, AFTER 3 YEARS, THE FUNDS HAVE NOT BEEN EXPENDED OR COMMITTED BY A SUBDIVISION, THEY SHALL BE PAID OVER TO THE COMPTROLLER OF THE TREASURY WHO SHALL PLACE THE FUNDS IN THE MARYLAND AGRICULTURAL PRESERVATION FUND. HOWEVER, OVER A 5-YEAR PERIOD ANY SUBDIVISION SHALL BE ALLOCATED IN THE AGGREGATE THE FUNDS IT WOULD HAVE BEEN ENTITLED TO RECEIVE IF ABLE TO UTILIZE THEM. NOTWITHSTANDING THE PROVISIONS OF THIS SUBSECTION, ONE-HALF OF THE AMOUNT RETAINED BY MONTGOMERY COUNTY SHALL BE HELD IN A SPECIAL FUND ACCOUNT AND DEEMED AND USED AS THE STATE MATCHING SHARE FOR AGRICULTURAL LAND PRESERVATION.

~~(V) AFTER THE DEVELOPMENT TAX IS DUE AND UNPAID, A LIEN SHALL ATTACH TO LAND WHICH HAS BEEN REASSESSED UNDER SUB-SUBPARAGRAPH (2) (B) (I) AND (II) OF SUBSECTION (B) OF THIS SECTION. THE LIEN SHALL ARISE BY OPERATION OF LAW IN FAVOR OF THE TAX COLLECTING AUTHORITY OF THE SUBDIVISION IN WHICH THE LAND IS LOCATED IN AN AMOUNT OF THE TAX AS DETERMINED BY SUB-SUBPARAGRAPH (2) (B) (I) OF SUBSECTION (B) OF THIS SECTION. A LIEN THAT REMAINS UNSATISFIED 30 DAYS AFTER IT ATTACHES SHALL BEAR INTEREST IN THE AMOUNT OF 2/3 PERCENT PER MONTH UNTIL PAID.~~