

TO MAKE APPLICATION ON A STANDARD FORM PROVIDED BY THE DEPARTMENT UNDER OATH OR AFFIRMATION THAT THE MATTERS AND FACTS STATED IN THE APPLICATION ARE TRUE TO THE BEST OF THE APPLICANT'S KNOWLEDGE, INFORMATION, AND BELIEF. THE APPLICANT MAY BE REQUIRED TO PROVIDE COPIES OF SALES RECEIPTS OR INVOICES, LEASE AGREEMENTS, OR OTHER DOCUMENTS AS REQUIRED BY THE DEPARTMENT TO CERTIFY THE NATURE OR TYPE OF AGRICULTURAL ACTIVITY AND THAT THE AVERAGE ANNUAL GROSS INCOME IS OR WOULD BE \$2,500 OR MORE. THE APPLICATIONS SHALL BE FILED ON OR BEFORE THE FOLLOWING DATES:

1. FOR LAND RECEIVING THE AGRICULTURAL USE ASSESSMENT, THE JANUARY 1 OF THE FIRST YEAR OF THE TRIENNIAL ASSESSMENT CYCLE AS DEFINED IN § 14(B)(1) OF THIS ARTICLE.

2. FOR LAND NOT RECEIVING THE AGRICULTURAL USE ASSESSMENT, THE JANUARY 1 IMMEDIATELY PRECEDING THE TAXABLE YEAR IN WHICH THE USE ASSESSMENT IS SOUGHT.

(VI) IN DETERMINING WHETHER LANDS WHICH APPEAR TO BE ACTIVELY DEVOTED TO FARM OR AGRICULTURAL USE ARE IN FACT BONA FIDE FARMS AND IN ADMINISTERING THE PROVISIONS OF SUBPARAGRAPH--(D) THIS SUBSECTION (B) OF THIS SECTION, THE DIRECTOR SHALL, FROM TIME TO TIME, CONSULT WITH THE SECRETARY OF THE--DEPARTMENT--OF--AGRICULTURE--FOR--THE--STATE--OF--MARYLAND AGRICULTURE, OTHER OFFICIALS OF THIS STATE KNOWLEDGEABLE IN PERTINENT AREAS RELATED TO AGRICULTURE, REPRESENTATIVES OF THE AGRICULTURAL COMMUNITY, OFFICIALS OF COUNTY OR MUNICIPAL GOVERNMENTS IN THIS STATE, AND OTHER PERSONS AS DETERMINED BY THE DIRECTOR.

(VII) THE GROSS INCOME PROVISIONS OF THIS PARAGRAPH (B)(1) DO NOT APPLY IN THE FOLLOWING INSTANCES:

1. LAND WHICH RECEIVED THE AGRICULTURAL USE ASSESSMENT ON JULY 1, 1984 PURSUANT TO THE PROVISIONS OF THIS § 19(B) IN EFFECT PRIOR TO THIS ACT OR RULES OR REGULATIONS OF THE DEPARTMENT; PROVIDED THE LANDOWNER IS 70 YEARS OF AGE OR OLDER AND MAKES APPLICATION TO THE DEPARTMENT PRIOR TO JULY 1, 1985. HOWEVER, THIS EXEMPTION FROM THE GROSS INCOME REQUIREMENT SHALL BE ALLOWED FOR ONLY 2 CONSECUTIVE 3-YEAR PERIODS.

2. LAND WHICH RECEIVES THE AGRICULTURAL USE ASSESSMENT AND THE LANDOWNER BECOMES DISABLED PREVENTING THE CONTINUATION OF THE AGRICULTURAL ACTIVITY OR USE FOR WHICH THE LAND HAD QUALIFIED FOR THE USE ASSESSMENT; PROVIDED THAT THE LANDOWNER SHALL APPLY TO THE DEPARTMENT FOR THIS EXEMPTION FROM THE GROSS INCOME REQUIREMENT AND THAT THE EXEMPTION SHALL BE ALLOWED FOR ONLY 2 CONSECUTIVE 3-YEAR PERIODS.

3. FAMILY FARM UNITS WHEN THE LAND IS ACTIVELY DEVOTED TO AGRICULTURAL USE.

(2) The following lands are not [subject to the provisions of] ELIGIBLE TO RECEIVE THE AGRICULTURAL USE