

(II) APPLIES FOR FARM OR AGRICULTURAL USE ASSESSMENT FOR PART OF THE AGRICULTURAL LAND THAT IS TRANSFERRED.

(2) THE AGRICULTURAL LAND TRANSFER TAX APPLIES TO THE VALUE OF THE LAND NOT SUBJECT TO THE DECLARATION OF INTENT, EXCLUSIVE OF THE ITEMS STATED IN § 13-304.

(3) FOR THE PURPOSE OF PARAGRAPH (2) OF THIS SUBSECTION, THE SUPERVISOR:

(I) SHALL DETERMINE THE VALUE OF THE LAND NOT SUBJECT TO THE DECLARATION ON THE DATE OF TRANSFER; AND

(II) GIVE THE GRANTOR AT TIME OF TRANSFER A NOTICE OF THE VALUE OF THE LAND, WHICH THE GRANTOR MAY PROTEST AS PROVIDED BY § 8-404 OF THIS ARTICLE.

(4) IF THERE IS A FAILURE TO COMPLY WITH A DECLARATION OF INTENT FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION OR A FAILURE TO QUALIFY FOR THE FARM OR AGRICULTURAL USE ASSESSMENT UNDER § 8-209 OF THIS ARTICLE DURING THE TIME THAT A DECLARATION OF INTENT IS IN EFFECT, THE AGRICULTURAL LAND TRANSFER TAX THAT WOULD HAVE BEEN PAYABLE AT THE DATE OF TRANSFER ON THE LAND SUBJECT TO THE DECLARATION OF INTENT IS DUE PLUS INTEREST AT AN ANNUAL RATE OF 12%.

(5) THE TAX AND INTEREST DUE UNDER PARAGRAPH (4) OF THIS SUBSECTION ARE A LIEN ON THE AGRICULTURAL LAND THAT WAS TRANSFERRED. THE LIEN IS DUE ON THE EARLIER DATE OF:

(I) THE NEXT DATE ON WHICH PROPERTY TAX ON THE AGRICULTURAL LAND IS DUE UNDER § 10-102 OF THIS ARTICLE; OR

(II) THE DATE OF THE NEXT TRANSFER OF ANY PART OF THE AGRICULTURAL LAND.

(6) A DECLARATION OF INTENT MAY NOT BE FILED UNDER THIS SUBSECTION, IF UNDER CURRENT GOVERNMENTAL LAND USE REGULATIONS THE TRANSFERRED LAND:

(I) MAY ONLY BE DEVELOPED IN ITS ENTIRETY; AND

(II) MAY NOT BE SUBDIVIDED INTO 2 OR MORE PARCELS WHICH MAY BE DEVELOPED INDEPENDENTLY.

[(e)] (F) An instrument of writing that transfers title to agricultural land or interests in agricultural land to the State is not subject to the agricultural land transfer tax.