

~~SUBSECTION-----BECAUSE-----NONAGRICULTURAL-----IMPROVEMENTS-----OR
NONAGRICULTURAL-----SITE-----IMPROVEMENTS-----ARE-----CONSTRUCTED,-----THE
AGRICULTURAL-LAND-TRANSFER-TAX-THAT-WOULD-HAVE-BEEN-PAYABLE-AT
THE-DATE-OF-TRANSFER-IS-DUE-PLUS-INTEREST-AT-AN-ANNUAL-RATE-OF
12%.~~

(2) (I) IF THERE IS A FAILURE TO COMPLY WITH A
DECLARATION OF INTENT FILED UNDER PARAGRAPH (1) OF THIS
SUBSECTION INCLUDING THE BUILDING OF NONAGRICULTURAL IMPROVEMENTS
OR NONAGRICULTURAL SITE IMPROVEMENTS OR THERE IS 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 IS DUE ON THAT
PORTION OF THE LAND THAT FAILS TO COMPLY WITH THE DECLARATION OF
INTENT OR TO QUALIFY FOR FARM OR AGRICULTURAL USE AT THE AMOUNT
THAT WOULD HAVE BEEN PAYABLE AT THE DATE OF TRANSFER PLUS
INTEREST AT AN ANNUAL RATE OF 12%.

~~+++~~ (II) THE TAX AND INTEREST DUE UNDER
SUBPARAGRAPH ~~+++~~ (I) OF THIS PARAGRAPH ARE A LIEN ON THE
AGRICULTURAL LAND THAT WAS TRANSFERRED. THE TAX IS DUE ON THE
EARLIER OF:

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

2. THE DATE OF THE NEXT TRANSFER OF ANY
PART OF THE AGRICULTURAL LAND.

(D) (1) AN INSTRUMENT OF WRITING THAT TRANSFERS TITLE TO 20
OR MORE ACRES OF AGRICULTURAL LAND THAT IS ELIGIBLE FOR FARM OR
AGRICULTURAL USE ASSESSMENT UNDER § 8-209 OF THIS ARTICLE IS
SUBJECT TO THE AGRICULTURAL LAND TRANSFER TAX AS PROVIDED IN
PARAGRAPH (2) OF THIS SUBSECTION, IF THE TRANSFEREE:

(I) FILES WITH THE SUPERVISOR BEFORE THE
TRANSFER A DECLARATION OF INTENT TO FARM THE LAND THAT SPECIFIES
THAT PART OF THE AGRICULTURAL LAND WILL REMAIN IN FARM OR
AGRICULTURAL USE FOR AT LEAST 5 FULL CONSECUTIVE TAXABLE YEARS;
AND

(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