

(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 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) THE OWNER OF REAL PROPERTY WHICH IS SUBJECT TO THE AGRICULTURAL USE ASSESSMENT MUST NOTIFY THE DEPARTMENT WHEN THERE IS:

(1) A FAILURE TO COMPLY WITH A DECLARATION OF INTENT;  
OR

(2) FAILURE TO CONTINUE THE PROPERTY IN AGRICULTURAL USE.

SECTION 3. AND BE IT FURTHER ENACTED, That the provisions of this Act shall apply to all properties subject to declarations of intent.