

~~(2) -- ESTIMATES A TAX THAT IS:~~

~~(i) -- LESS THAN 45% OF THE TAX REQUIRED TO BE SHOWN ON THE RETURN FOR THE CURRENT TAXABLE YEAR; AND~~

~~(ii) -- LESS THAN THE TAX PAID FOR THE PRIOR TAXABLE YEAR.~~

(2) ESTIMATES A TAX THAT IS LESS THAN 45% OF THE TAX REQUIRED TO BE SHOWN ON THE RETURN FOR THE CURRENT TAXABLE YEAR.

13-701.

(b) (1) If a person fails to [file a return and] pay financial institution franchise tax or income tax when required under this article, the tax collector shall assess a penalty not exceeding 25% of the unpaid tax.

13-703.

(A) If, with the intent to evade the payment of tax, a person, including an officer of a corporation, or a governmental unit makes a false financial institution franchise tax, income tax, or sales and use tax return, the tax collector shall assess a penalty not exceeding:

- (1) 50% of the underpayment of financial institution franchise tax;
- (2) 50% of the underpayment of income tax; and
- (3) 100% of the underpayment of sales and use tax.

(B) FOR REASONABLE CAUSE, THE COMPTROLLER MAY WAIVE THE ASSESSMENT OF A SALES AND USE TAX PENALTY UNDER THIS SECTION.

13-704.

(A) If, with the intent to evade the payment of tax, a person or governmental unit fails to file an admissions and amusement tax return, a motor fuel tax return, or a sales and use tax return when required under this article, the tax collector shall assess a penalty of 100% of the underpayment of tax.

(B) FOR REASONABLE CAUSE, THE COMPTROLLER MAY WAIVE THE ASSESSMENT OF A PENALTY UNDER THIS SECTION.

13-707.

(A) If an employer OR PAYOR, as defined in § 10-905 of this article, willfully fails to withhold or pay over the income tax as required in Title 10 of this article, the Comptroller may