

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Tax - Property

13-301.

(d) (1) "Total value" means the value of [agricultural land] THE PROPERTY as stated in the most recent assessment roll.

(2) "Total value" includes any adjustment in the value of improvements that result from an increase in construction costs as determined by the Department as of the most recent date of finality.

13-304.

(a) The agricultural land transfer tax is imposed on the consideration payable for the instrument of writing less:

(1) the total value of any improvements on the [agricultural land] PROPERTY; and

(2) the total value of any [agricultural] land not subject to the agricultural land transfer tax.

13-305.

(a) An instrument of writing is not subject to the agricultural land transfer tax, if property tax on the land has been paid for 5 full consecutive taxable years before the transfer on the basis of an assessment other than the farm or agricultural use assessment under § 8-209 of this article.

(b) If the amount of agricultural land transferred is not greater than the applicable residential minimum zoning size in effect at the time of transfer, an instrument of writing for the residential use of the owner of the agricultural land or the owner's immediate family is not subject to the agricultural land transfer tax.

(c) (1) Except as provided in paragraph (2) of this subsection, an instrument of writing that transfers title to [20 acres or more of] agricultural land that is eligible for farm or agricultural use assessment under § 8-209 of this article is not subject to the agricultural land transfer tax if the transferee:

(i) files with the supervisor before the transfer a declaration of intent to farm the agricultural land that specifies that ALL OF the transferred agricultural land will remain in farm or agricultural use for at least 5 full consecutive taxable years; and