

(ii) the date of the next transfer of any part of the agricultural land.

(6) FOR THE PURPOSE OF PARAGRAPH (4) OF THIS SUBSECTION, THE SUPERVISOR SHALL CALCULATE THE AMOUNT OF THE AGRICULTURAL LAND TRANSFER TAX DUE BY:

(I) DETERMINING THE FAIR MARKET VALUE OF THE LAND SUBJECT TO THE TAX AS OF THE MOST RECENT JULY 1 AND PROVIDING THE PROPERTY OWNER WITH A NOTICE OF THAT VALUE, WHICH THE PROPERTY OWNER MAY APPEAL AS PROVIDED BY § 8-404 OF THIS ARTICLE;

(II) MULTIPLYING THE FAIR MARKET VALUE OF THE LAND SUBJECT TO THE TAX BY THE RATE OF THE TAX UNDER § 13-303 OF THIS ARTICLE; AND

(III) ADDING TO THE TAX CALCULATED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH A PENALTY IN THE AMOUNT OF 10% OF THE TAX DUE.

(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.

[(f) (1) An instrument of writing that transfers title to less than 20 acres 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 land and the declaration specifies that:

1. all the agricultural land will remain in farm or agricultural use for at least 5 full consecutive taxable years; and

2. the nature or type of agricultural activity on all the agricultural land together with the amount of the agricultural land that is in farm or agricultural use is reasonably expected to produce an average annual gross income of \$2,500; and

(ii) applies for farm or agricultural use assessment for all the agricultural land that is transferred.