

**Article - Tax - Property**

12-105.

(d) For a lease of real property for a term of more than 7 years not perpetually renewable, the recordation tax applies to:

(1) the average annual rent over the term of the lease, including renewals, capitalized at 10% plus any additional consideration payable, other than rent; or

(2) if the average annual rent cannot be determined, the greater of:

(i) 105% of the minimum average annual rent as determined by the lease, capitalized at 10% plus any additional consideration payable, other than rent; or

(ii) [150%] 60% of the assessment of the real property subject to lease.

13-205.

(b) Except as provided in § 13-207(a)(14) of this subtitle, for a lease of real property for a term of years not perpetually renewable, the transfer tax applies to:

(1) the average annual rent over the term of the lease, including renewals, capitalized at 10% plus any additional consideration payable, other than rent; or

(2) if the average annual rent cannot be determined, the greater of:

(i) 105% of the minimum average annual rent, as determined by the lease, capitalized at 10%, plus any additional consideration payable, other than rent; or

(ii) [150%] 60% of the assessment of the real property subject to lease.

SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding § 8-211(h) of the Tax - Property Article, land subject to a forest conservation management agreement that receives an agricultural use assessment shall be reassessed pursuant to Section 12 of Chapter 80 of the Acts of 2000.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 and 3 of this Act shall take effect June 1, 2001, and shall be applicable to all taxable years beginning after June 30, 2001.

SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in Section 4 of this Act, this Act shall take effect July 1, 2001.

Approved April 20, 2001.