

(B) IN EVERY DEED OR OTHER INSTRUMENT OF WRITING THAT EFFECTS A CHANGE OF OWNERSHIP ON THE ASSESSMENT BOOKS UNDER THE TAX - PROPERTY ARTICLE, THE TOTAL PAYMENT SHALL BE DESCRIBED IN:

(1) THE RECITALS OR THE ACKNOWLEDGMENT OF THE DEED OR OTHER INSTRUMENT; OR

(2) AN AFFIDAVIT UNDER OATH THAT ACCOMPANIES THE DEED OR OTHER INSTRUMENT AND THAT IS SIGNED BY THE TRANSFEROR OF THE PROPERTY OR BY AN AGENT OF THE TRANSFEROR

(C) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, IN A SALE OR EXCHANGE OF REAL PROPERTY AND ASSOCIATED TANGIBLE PERSONAL PROPERTY OWNED BY A NONRESIDENT OR NONRESIDENT ENTITY, THE DEED OR OTHER INSTRUMENT OF WRITING THAT EFFECTS A CHANGE OF OWNERSHIP ON THE ASSESSMENT BOOKS UNDER THE TAX - PROPERTY ARTICLE MAY NOT BE RECORDED WITH THE CLERK OF THE CIRCUIT COURT FOR A COUNTY OR FILED WITH THE DEPARTMENT OF ASSESSMENTS AND TAXATION UNLESS PAYMENT IS MADE TO THE CLERK OF THE CIRCUIT COURT FOR A COUNTY OR THE DEPARTMENT OF ASSESSMENTS AND TAXATION IN AN AMOUNT EQUAL TO:

(1) 4.75% OF THE TOTAL PAYMENT TO A NONRESIDENT; OR

(2) 7% OF THE TOTAL PAYMENT TO A NONRESIDENT ENTITY.

(D) SUBSECTION (C) OF THIS SECTION DOES NOT APPLY WHEN:

(1) A CERTIFICATION UNDER PENALTIES OF PERJURY THAT THE TRANSFEROR IS A RESIDENT OF THE STATE OR IS A RESIDENT ENTITY IS PROVIDED BY EACH TRANSFEROR IN:

(I) THE RECITALS OR THE ACKNOWLEDGMENT OF THE DEED OR OTHER INSTRUMENT OF WRITING TRANSFERRING THE PROPERTY TO THE TRANSFEREE; OR

(II) AN AFFIDAVIT SIGNED BY THE TRANSFEROR OR BY AN AGENT OF THE TRANSFEROR THAT ACCOMPANIES AND IS RECORDED WITH THE DEED OR OTHER INSTRUMENT OF WRITING TRANSFERRING THE PROPERTY;

(2) THE TRANSFEROR PRESENTS TO THE CLERK OF THE CIRCUIT COURT FOR A COUNTY OR THE DEPARTMENT OF ASSESSMENTS AND TAXATION A CERTIFICATE ISSUED BY THE COMPTROLLER STATING THAT:

(I) NO TAX IS DUE FROM THAT TRANSFEROR IN CONNECTION WITH THAT SALE OR EXCHANGE OF PROPERTY;

(II) A REDUCED AMOUNT OF TAX IS DUE FROM THAT TRANSFEROR IN CONNECTION WITH THAT SALE OR EXCHANGE OF PROPERTY AND STATING THE REDUCED AMOUNT THAT SHOULD BE COLLECTED BY THE CLERK OF THE CIRCUIT COURT FOR A COUNTY OR THE DEPARTMENT OF ASSESSMENTS AND TAXATION BEFORE RECORDATION OR FILING; OR