

under subparagraph (i) of this paragraph that is equal to the percentage of the original easement purchase price contributed by the county.

2. A. From the funds distributed to a county under this subparagraph, the county shall deposit in the county's special account for its agricultural land preservation program an amount that is at least equal to the percentage of the original easement purchase price that was paid out of the special account.

B. If any of the funds deposited in the county's special account have not been expended or committed within 3 years from the date of deposit into the special account, the county collector shall remit those funds to the Comptroller for deposit in the Maryland Agricultural Land Preservation Fund as provided in § 13-306(c) of the Tax - Property Article.

3. The county shall deposit the balance of the funds distributed to it under this subparagraph in the county's general fund.

4. IF AN EASEMENT IS TERMINATED, THE FOUNDATION SHALL DEPOSIT ITS PORTION OF THE REPURCHASE PAYMENT IN THE MARYLAND AGRICULTURAL LAND PRESERVATION FUND AS PROVIDED UNDER § 2-505 OF ~~THE AGRICULTURE ARTICLE~~ THIS SUBTITLE.

(g) If the request for termination is denied, or if the landowner fails to repurchase the easement within 180 days of the appraisal, the landowner may not again request termination of the easement until five years after his last request for termination.

(H) (1) THIS SUBSECTION APPLIES ONLY TO EASEMENTS THAT THE FOUNDATION ACQUIRES ON OR BEFORE SEPTEMBER 30, 2004.

(2) BEFORE DECIDING ON A REQUEST FOR TERMINATION OF AN EASEMENT, THE FOUNDATION SHALL PROVIDE A LANDOWNER WITH THE OPPORTUNITY FOR A HEARING.

(3) NOTWITHSTANDING §§ 2-401 THROUGH 2-405 OF THIS TITLE, THE LANDOWNER MAY APPEAL ANY FOUNDATION DENIAL DIRECTLY TO THE CIRCUIT COURT OF THE COUNTY WHERE THE LAND IS LOCATED.

(4) THE CIRCUIT COURT SHALL HEAR AND DETERMINE THE APPEAL ON THE RECORD MADE IN ACCORDANCE WITH § 10-222 OF THE STATE GOVERNMENT ARTICLE.

2-514.1.

AN EASEMENT WHOSE PURCHASE IS APPROVED BY THE BOARD OF PUBLIC WORKS ON OR AFTER OCTOBER 1, 2004, SHALL BE HELD BY THE FOUNDATION IN PERPETUITY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2004.

Approved May 11, 2004.