

- (i) collect from the buyer as required in § 11-403 of this title; or
- (ii) pay to the Comptroller as required in subsection (b) of this section.

13-104.

(A) (1) SUBJECT TO THE APPROVAL OF THE TREASURER AND SUBJECT TO THE LIMITATION UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE COMPTROLLER OR THE DEPARTMENT MAY PROVIDE BY REGULATION FOR THE PAYMENT OF ANY UNPAID TAX LIABILITY IN CONNECTION WITH A TAX RETURN, REPORT, OR OTHER DOCUMENT REQUIRED TO BE FILED WITH THE COMPTROLLER OR THE DEPARTMENT IN FUNDS THAT ARE IMMEDIATELY AVAILABLE TO THE STATE ON THE DATE THE PAYMENT IS DUE.

(2) THE COMPTROLLER OR THE DEPARTMENT MAY NOT REQUIRE PAYMENT IN FUNDS THAT ARE IMMEDIATELY AVAILABLE TO THE STATE IF THE UNPAID TAX LIABILITY IN CONNECTION WITH A TAX RETURN, REPORT, OR OTHER DOCUMENT IS LESS THAN \$20,000.

(B) ANY REGULATIONS ADOPTED BY THE COMPTROLLER OR THE DEPARTMENT UNDER THIS SECTION SHALL ESTABLISH A SUITABLE MEANS FOR PAYMENT IN IMMEDIATELY AVAILABLE FUNDS SO AS TO INSURE THE AVAILABILITY OF THOSE FUNDS TO THE STATE ON THE DATE OF PAYMENT.

(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF A PERSON FAILS TO PAY A TAX IMPOSED UNDER THIS ARTICLE ON OR BEFORE THE DATE THE TAX IS DUE IN IMMEDIATELY AVAILABLE FUNDS AS REQUIRED BY THE REGULATIONS OF THE COMPTROLLER OR THE DEPARTMENT, THE COMPTROLLER OR THE DEPARTMENT SHALL ASSESS INTEREST AND A PENALTY ON THE UNPAID TAX FROM THE DATE THE TAX IS DUE TO THE DATE ON WHICH THE FUNDS FROM THE TAX PAYMENT BECOME AVAILABLE TO THE STATE.

(2) THE COMPTROLLER OR THE DEPARTMENT MAY WAIVE INTEREST AND PENALTIES ON LATE PAYMENTS IF THE PERSON REQUIRED TO PAY THE TAX PROVES THAT:

(I) THE PERSON MADE A GOOD FAITH EFFORT TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION; AND

(II) THE PERSON EXERCISED DUE DILIGENCE TO INITIATE PAYMENT CORRECTLY AND ON A TIMELY BASIS.

(D) THIS SECTION DOES NOT AFFECT ANY REQUIREMENT OTHERWISE ESTABLISHED BY LAW FOR THE FILING OF ANY RETURN, REPORT, OR OTHER DOCUMENT.