

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 3
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through the semicolon in line 17.

On pages 1 and 2, strike beginning with “requiring” in line 22 on page 1 down through “land;” in line 3 on page 2 and substitute “altering certain monetary limitations on payments made to certain displaced residential owners and renters to secure replacement dwellings in certain condemnation proceedings; altering certain monetary limitations for reestablishing certain farms, nonprofit organizations, or small businesses at new sites; altering certain monetary limitations on certain fixed fee payments paid to certain displaced farm or business owners in lieu of certain reestablishment expenses;”.

On page 2, strike beginning with “altering” in line 6 down through “changes;” in line 11; strike in their entirety lines 13 through 17, inclusive; in line 20, strike “12–102.1, 12–104(h),”; in the same line, strike “, 12–113,”; and strike in their entirety lines 23 through 27, inclusive, and substitute:

“BY repealing and reenacting, with amendments,
Article – Real Property
Section 12–202, 12–204, and 12–205
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)”.

AMENDMENT NO. 2

On pages 2 through 7, strike in their entirety the lines beginning with line 31 on page 2 through line 18 on page 7, inclusive.

(Over)

On pages 7 through 10, strike in their entirety the lines beginning with line 30 on page 7 through line 29 on page 10, inclusive.

AMENDMENT NO. 3

On page 10, after line 29, insert:

“12–202.

(a) (1) In addition to payment otherwise authorized, a displacing agency shall make an additional payment not in excess of [\$22,500] \$45,000 to any displaced person who is displaced from a dwelling actually owned and occupied by the displaced person for not less than 180 days prior to the initiation of negotiations for the acquisition of the real property.

(2) (i) The displacing agency may exceed the monetary limit stated in paragraph (1) of this subsection on a case–by–case basis if it determines that comparable housing cannot otherwise be made available within the limit; or

(ii) The displacing agency may use any other measures necessary to remedy the unavailability of comparable housing.

(b) The additional payments shall include the following elements:

(1) Any amount which when added to the acquisition cost of the dwelling acquired by the displacing agency, equals the reasonable cost of a comparable replacement dwelling as defined in § 12–201(d) of this subtitle.

(2) Any amount which will compensate the displaced person for any increased interest costs and other debt service costs which the person is required to pay for financing the acquisition of any comparable replacement dwelling. The amount shall be paid only if the dwelling acquired by the displacing agency was encumbered by a bona fide mortgage which was a valid lien on the dwelling for not less than 180

days prior to the initiation of negotiations for the acquisition of the dwelling. The method of calculation shall be determined by the lead agency.

(3) Reasonable expenses incurred by the displaced person for evidence of title, recording fees, and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses.

12-204.

(a) In addition to amounts otherwise authorized by this title and Title 8 of the Transportation Article, the displacing agency shall make a payment to or for any displaced person displaced from any dwelling and not eligible to receive a payment under § 12-202 of this subtitle, if the dwelling actually and lawfully was occupied by the displaced person for not less than 90 days before the initiation of negotiations for acquisition of the dwelling or in any case in which displacement is not a direct result of acquisition, such other activity as the lead agency shall prescribe.

(b) (1) (i) The payment shall be the amount necessary to enable the person to lease or rent for a period not to exceed 42 months, a comparable replacement dwelling, but not to exceed [~~\$5,250~~] **\$10,500**.

(ii) At the discretion of the displacing agency, a payment under this subsection may be made in periodic installments.

(iii) Computation of a payment under this subsection to a low income displaced person for a comparable replacement dwelling shall take into account such person's income.

(2) (i) If the displacing agency determines that comparable housing cannot otherwise be made available within this limit, the monetary limit stated in paragraph (1) of this subsection may be exceeded on a case-by-case basis.

(Over)

(ii) The displacing agency may use any other measures necessary to remedy unavailability of comparable housing as prescribed by the lead agency.

(c) (1) Any person eligible for a payment under subsection (a) of this section may elect to apply the payment to a down payment on, and other incidental expenses applicable to, the purchase of a decent, safe, and sanitary replacement dwelling.

(2) At the discretion of the displacing agency, that person may be eligible under this subsection for the maximum payment allowed under subsection (a) of this section, except that, in the case of a displaced homeowner who has owned and occupied the displacement dwelling for at least 90 days but not more than 180 days immediately before the initiation of negotiations for the acquisition of the dwelling, the payment may not exceed the payment the person would otherwise have received under § 12-202 of this subtitle had the person owned and occupied the displacement dwelling 180 days immediately before the initiation of the negotiations.”.

AMENDMENT NO. 4

On page 11, in line 13, strike the brackets; in line 16, strike the opening bracket; and strike beginning with “\$10,000” in line 16 down through “**VIABLE**” in line 26 and substitute “**\$60,000**”.

On page 12, in lines 8 and 9, in each instance, strike the brackets; and in line 8, strike “\$20,000” and substitute “**\$60,000**”.