
By: Delegate Gordon

Introduced and read first time: February 7, 1996

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Eminent Domain - Moving and Relocation Expenses**

3 FOR the purpose of providing that the maximum limit for certain relocation payments
4 may be an amount equal to the amount provided under certain federal relocation
5 provisions; and generally relating to moving and relocation expenses.

6 BY repealing and reenacting, with amendments,
7 Article - Real Property
8 Section 12-205
9 Annotated Code of Maryland
10 (1996 Replacement Volume)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Real Property**

14 12-205.

15 (a) Whenever a program or project undertaken by a displacing agency will result
16 in the displacement of any person, the displacing agency shall make a payment to the
17 displaced person, on proper application as approved by the displacing agency for:

18 (1) Actual reasonable expenses in moving himself, his family, business, farm
19 operation, or other personal property;

20 (2) Actual direct loss of tangible personal property as a result of moving or
21 discontinuing a business or farm operation, but not exceeding an amount equal to the
22 reasonable expenses that would have been required to relocate the personal property, as
23 determined by the agency;

24 (3) Actual reasonable expenses in searching for a replacement business or
25 farm; and

26 (4) Actual reasonable expenses necessary to reestablish a displaced farm,
27 nonprofit organization, or small business at its new site as determined by the displacing
28 agency, but not to exceed \$10,000.

1 (b) Any displaced person eligible for payments under subsection (a) of this
2 section, who is displaced from a dwelling and who elects to accept the payments
3 authorized by this subsection in lieu of the payments authorized by subsection (a) of this
4 section, may receive a moving expense allowance, determined according to a schedule
5 established by the lead agency.

6 (c) (1) Any displaced person eligible for payments under subsection (a) of this
7 section who is displaced from the person's place of business or farm operation and who is
8 eligible under criteria established by the lead agency may elect to accept the payment
9 authorized by this subsection in lieu of the payment authorized by subsection (a) of this
10 section.

11 (2) Such payment shall consist of a fixed payment in an amount to be
12 determined according to criteria established by the lead agency, except that such payment
13 may not be less than \$1,000 nor more than \$20,000 OR THE AMOUNT PROVIDED UNDER
14 THE FEDERAL UNIFORM RELOCATION ASSISTANCE ACT, WHICHEVER IS GREATER.

15 (3) A person whose sole business at the displacement dwelling is the rental
16 of such property to others shall not qualify for a payment under this subsection.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 1996.