
By: **Delegates Rosenberg, Dewberry, Dypski, Gordon, Hammen, Krysiak,
McIntosh, Minnick, and Mitchell**

Introduced and read first time: February 8, 2002

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property - Eminent Domain - Relocation Assistance**

3 FOR the purpose of requiring the Secretary of Transportation to determine the
4 maximum amount of actual relocation expenses that may be paid to a displaced
5 person; requiring the Secretary of Transportation to determine the range of
6 compensation to be paid to a displaced person in lieu of certain other
7 compensation; creating a Task Force on Maryland's Relocation Assistance
8 Policy; providing for the termination of certain provisions of this Act; and
9 generally relating to relocation assistance.

10 BY repealing and reenacting, with amendments,
11 Article - Real Property
12 Section 12-205
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 2001 Supplement)

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

17 **Article - Real Property**

18 12-205.

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

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

25 (2) Actual direct loss of tangible personal property as a result of moving
26 or discontinuing a business or farm operation, but not exceeding an amount equal to

1 the reasonable expenses that would have been required to relocate the personal
2 property, as determined by the agency;

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

5 (4) Actual reasonable expenses necessary to reestablish a displaced
6 farm, nonprofit organization, or small business at its new site as determined by the
7 displacing agency, but not to exceed [\$10,000] AN AMOUNT DETERMINED BY THE
8 SECRETARY OF TRANSPORTATION.

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

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

19 (2) Such payment shall consist of a fixed payment in an amount to be
20 determined according to criteria established by the lead agency, except that such
21 payment [may not be less than \$1,000 nor more than \$20,000] SHALL BE WITHIN A
22 RANGE DETERMINED BY THE SECRETARY OF BUSINESS AND ECONOMIC
23 DEVELOPMENT or the amount provided under the Federal Uniform Relocation
24 Assistance Act, whichever is greater.

25 (3) A person whose sole business at the displacement [dwelling]
26 LOCATION is the rental of such property to others shall not qualify for a payment
27 under this subsection.

28 SECTION 2. AND BE IT FURTHER ENACTED, That the Secretary of
29 Transportation shall adopt regulations to implement Section 1 of this Act on or before
30 June 1, 2002.

31 SECTION 3. AND BE IT FURTHER ENACTED, That:

32 (a) There is a Task Force on Maryland's Relocation Assistance Policy.

33 (b) The Task Force consists of nine members, appointed by the Secretary of
34 Transportation.

35 (c) The Secretary shall designate the chairman of the Task Force.

36 (d) The Secretary shall provide staff for the Task Force.

1 (e) A member of the Task Force may not receive compensation for serving on
2 the Task Force, but is entitled to reimbursement for expenses under the Standard
3 State Travel Regulations, as provided in the State budget.

4 (f) The Task Force shall:

5 (1) Develop uniform regulations governing the administration of
6 relocation assistance benefits;

7 (2) Formulate potential changes in State law that relate to compliance
8 with relocation assistance benefit requirements by a displacing agency that does not
9 receive State or federal financial support; and

10 (3) Evaluate the nature and extent of relocation assistance and
11 formulate recommendations regarding the initial range of maximum limits thereon to
12 be established by the Secretary together with measures to prevent potential abuses.

13 (g) The Task Force shall provide a preliminary report of its recommendations
14 to the General Assembly on or before January 1, 2003, in accordance with § 2-1246 of
15 the State Government Article.

16 (h) The Task Force shall provide a final report of its recommendations to the
17 General Assembly on or before June 1, 2003, in accordance with § 2-1246 of the State
18 Government Article.

19 SECTION 4. AND BE IT FURTHER ENACTED, That Section 3 of this Act
20 shall take effect June 1, 2002. It shall remain effective for a period of 1 year and, at
21 the end of May 31, 2003, with no further action required by the General Assembly,
22 Section 3 of this Act shall be abrogated and of no further force and effect.

23 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take
24 effect June 1, 2002.