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By: **Delegates Pugh, Carter, C. Davis, Doory, Goodwin, Hammen, Haynes,  
Kirk, Krysiak, Love, McHale, Miller, Murray, Oaks, and Paige**

Introduced and read first time: February 8, 2006

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of repealing the monetary maximum for payments to displaced  
4 persons for actual reasonable reestablishment expenses; and generally relating  
5 to payments for moving, relocation, and reestablishment expenses for displaced  
6 persons.

7 BY repealing and reenacting, with amendments,  
8 Article - Real Property  
9 Section 12-205  
10 Annotated Code of Maryland  
11 (2003 Replacement Volume and 2005 Supplement)

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

14 **Article - Real Property**

15 12-205.

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

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

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

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

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

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

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

14           (2)     Such payment shall consist of a fixed payment in an amount to be  
15 determined according to criteria established by the lead agency[, except that such  
16 payment may not be less than \$1,000 nor more than \$20,000 or the amount provided  
17 under the federal Uniform Relocation Assistance Act, whichever is greater].

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

21     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
22 effect October 1, 2006.