
By: **Delegate Holmes**

Introduced and read first time: February 9, 2006

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Condemnation - Moving and Relocation Assistance**

3 FOR the purpose of repealing a certain limitation on certain expenses that a
4 displacing agency is required to pay to reestablish a displaced farm, nonprofit
5 organization, or small business when a program or project undertaken by the
6 agency results in the person's displacement; altering a certain limitation on a
7 certain alternative payment that a displaced person may elect to accept; and
8 generally relating to certain assistance provided when a displacing agency
9 acquires certain property.

10 BY repealing and reenacting, with amendments,
11 Article - Real Property
12 Section 12-205
13 Annotated Code of Maryland
14 (2003 Replacement Volume and 2005 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
27 the reasonable expenses that would have been required to relocate the personal
28 property, as determined by the agency;

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

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

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

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

16 (2) Such payment shall consist of a fixed payment in an amount to be
17 determined according to criteria established by the lead agency, except that such
18 payment may not be less than \$1,000 nor more than [~~\$20,000~~] \$50,000 or the amount
19 provided under the federal Uniform Relocation Assistance Act, whichever is greater.

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

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