
By: **Delegate Holmes**

Introduced and read first time: February 10, 2006

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Condemnation - Damages - Compensation for Assets of Business**

3 FOR the purpose of requiring that certain damages to be awarded for the taking of
4 certain land shall include certain compensation for certain business owners;
5 providing that the damages shall include, and may not duplicate, certain
6 damages for the fair market value of the land; and generally relating to damages
7 in compensation proceedings.

8 BY adding to
9 Article - Real Property
10 Section 12-104(h)
11 Annotated Code of Maryland
12 (2003 Replacement Volume and 2005 Supplement)

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

15 **Article - Real Property**

16 12-104.

17 (H) (1) THE DAMAGES TO BE AWARDED FOR THE TAKING OF LAND WHERE
18 THE LAND OR ANY PART OF IT IS USED FOR A BUSINESS SHALL INCLUDE
19 COMPENSATION TO THE BUSINESS OWNER FOR THE TOTAL ASSETS OF THE
20 BUSINESS, IF THE BUSINESS CANNOT BE CONTINUED ON THE LAND AS A RESULT OF
21 THE TAKING AND THE BUSINESS CANNOT REASONABLY BE RELOCATED.

22 (2) THE DAMAGES TO BE AWARDED UNDER THIS SECTION SHALL
23 INCLUDE, AND MAY NOT DUPLICATE, ANY DAMAGES AWARDED TO THE BUSINESS
24 OWNER FOR THE FAIR MARKET VALUE OF THE LAND.

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