
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 - Loss of Visibility**

3 FOR the purpose of providing that certain business owners are entitled to
4 compensation for a reduction in fair market value of certain property resulting
5 from a loss of visibility caused by a public project for which property or part of
6 property is taken by condemnation; and generally relating to damages in
7 condemnation 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) IN ADDITION TO ANY OTHER DAMAGES ALLOWED UNDER THIS SECTION,
18 THE OWNER OF A BUSINESS CONDUCTED ON THE PROPERTY TAKEN, OR ON THE
19 REMAINDER IF THERE IS A PARTIAL TAKING, IS ENTITLED TO COMPENSATION FOR
20 ANY REDUCTION IN THE FAIR MARKET VALUE OF THE PROPERTY RESULTING FROM
21 A LOSS OF VISIBILITY CAUSED BY THE PUBLIC PROJECT FOR WHICH THE PROPERTY
22 OR PART OF THE PROPERTY IS TAKEN.

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