

they are hereby repealed and reenacted, with amendments, to read as follows:

Article - Real Property

12-107.

(a) Any party to a condemnation case may appeal from a final judgment or determination to the Court of SPECIAL Appeals in the manner prescribed by the Maryland Rules.

12-107.

(c) Costs in the Court of SPECIAL Appeals shall be paid as directed by the Court of SPECIAL Appeals.

12-107.

(d) (1) If the plaintiff desires possession pending appeal, it may make payment of the award pursuant to Subtitle U of the Maryland Rules. In addition, the plaintiff shall file with the clerk of the court a bond to the State for the penalty the court prescribes.

(2) The bond shall be conditioned that if the judgment is reversed, the plaintiff shall pay to the defendant appealing, all damages the plaintiff caused the defendant by taking possession and using the property before the final determination of the appeal. The bond shall be executed by the plaintiff together with another surety approved by the court.

(3) On the payment and filing of the bond, the plaintiff immediately may take possession of the property of the defendant appealing.

(4) Except as provided in paragraph (5), if the judgment is affirmed by the Court of SPECIAL Appeals, the bond is discharged. If the judgment is reversed by the Court of SPECIAL Appeals on the right of the plaintiff to condemn, the plaintiff immediately shall surrender possession of the property of the defendant and the surety shall be liable to the defendant for all damages which have been occasioned to the defendant by the plaintiff in taking possession and using the property before final determination of the appeal.

(5) If the plaintiff is the State[, ] or any of its subdivisions [of] OR instrumentalities, no bond is required.

12-109.

(d) No condemnation proceeding may be abandoned:

(1) After taking has occurred;

(2) More than 120 days after the entry of final judgment, unless an appeal is taken; or

(3) If an appeal is taken from a final judgment, more than 120 days after the receipt by the clerk of the lower court of a mandate of the Court of Appeals OR THE COURT OF SPECIAL APPEALS evidencing the dismissal of the