

EXCEPT FOR FLOODING SOLELY CAUSED BY TIDAL WATER, IMPROVEMENTS SHALL BE ASSESSED ON THE BASIS OF THE REDUCED VALUE OF THE IMPROVEMENTS IF THE IMPROVEMENTS HAD BEEN DAMAGED BY AND WERE SUBJECT TO A SUBSTANTIAL THREAT OF RECURRING DAMAGE BY:

- (1) FLOODING;
- (2) SHIFTING LAND MASSES; OR
- (3) UNSTABLE SOILS OR SOIL FAULT CONDITIONS.

REVISOR'S NOTE: This section is new language that combines, without substantive change, former Art. 81, § 19(g)(1) and (h), since former Art. 81, § 19(g)(1) and (h) each described assessment reductions in a similar manner.

Subsection (a) of this section is revised as a definition of "improvements", for clarity.

In the introductory language of subsection (b) of this section, the former phrase "the Department may reduce the amount of the assessment in whole or in part" is deleted as superfluous.

Also in the introductory language of subsection (b) of this section, the phrase "reduced value" is substituted for the former phrase "economic obsolescence", for clarity.

Defined terms: "Assess" § 1-101  
 "Real property" § 1-101 "Value" § 1-101

8-231. SAME -- DAMAGED OR DESTROYED BY NATURAL OCCURRENCES.

IF THE ASSESSMENT OF REAL PROPERTY USED FOR RESIDENTIAL PURPOSES IS NOT REDUCED OR ABATED BECAUSE OF DAMAGE OR DESTRUCTION FROM FLOOD, FIRE, STORM, OR ANY NATURAL OCCURRENCE, THE REPLACEMENT OR RESTORATION OF THE REAL PROPERTY BY COMPARABLY VALUED REAL PROPERTY MAY NOT BE ASSESSED AT AN AMOUNT GREATER THAN THE ASSESSMENT OF THE REAL PROPERTY BEFORE THE DAMAGE OR DESTRUCTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 81, § 19(g)(2).

The reference to "any natural occurrence" is substituted for the former reference to "any sudden force of nature", for clarity.

The phrase "by comparably valued real" is substituted for the former phrase "if the property is comparable in value", for clarity and to avoid confusion with the defined term "value".