

which the business or farm operation moves from the land acquired for the project, or during any other period as the public or private agency determines to be more equitable for establishing these earnings, including any compensation paid by the business or farm operation to the owner, his spouse, or his dependents during the period.

(2) Any displaced person, eligible for payments under subsection (a), who is displaced from his place of business or from his farm operation and who elects to accept the payment authorized by this subsection in lieu of the payment authorized by subsection (a), may receive a fixed payment in an amount equal to the average annual net earnings of the business or farm operation, except that the payment may not be less than \$2,500 nor more than \$20,000.

(3) In the case of a business, no payment may be made under this subsection unless the public or private agency is satisfied that the business (i) cannot be relocated without a substantial loss of its existing patronage, and (ii) is not a part of a commercial enterprise having at least one other establishment not being acquired by the public or private agency which is engaged in the same or similar business.]

(1) ANY DISPLACED PERSON ELIGIBLE FOR PAYMENTS UNDER SUBSECTION (A) OF THIS SECTION WHO IS DISPLACED FROM THE PERSON'S PLACE OF BUSINESS OR FARM OPERATION AND WHO IS ELIGIBLE UNDER CRITERIA ESTABLISHED BY THE LEAD AGENCY MAY ELECT TO ACCEPT THE PAYMENT AUTHORIZED BY THIS SUBSECTION IN LIEU OF THE PAYMENT AUTHORIZED BY SUBSECTION (A) OF THIS SECTION.

(2) SUCH PAYMENT SHALL CONSIST OF A FIXED PAYMENT IN AN AMOUNT TO BE DETERMINED ACCORDING TO CRITERIA ESTABLISHED BY THE LEAD AGENCY, EXCEPT THAT SUCH PAYMENT MAY NOT BE LESS THAN \$1,000 NOR MORE THAN \$20,000.

(3) A PERSON WHOSE SOLE BUSINESS AT THE DISPLACEMENT DWELLING IS THE RENTAL OF SUCH PROPERTY TO OTHERS SHALL NOT QUALIFY FOR A PAYMENT UNDER THIS SUBSECTION.

12-206.

(a) [If the acquisition of land for] WHENEVER a program or project undertaken by a [public or private] DISPLACING agency OR PERSON will result in the displacement of any person, the [public or private] DISPLACING agency shall provide a relocation assistance advisory program for displaced persons which shall offer the services described in subsection (b) OF THIS SECTION. If the [public or private] DISPLACING agency determines that any person occupying property immediately adjacent to the [land] REAL PROPERTY acquired is caused substantial economic injury because of the acquisition, it may offer that person relocation advisory services under the program.