

CHAPTER 301

(House Bill 1081)

AN ACT concerning

Eminent Domain – Moving and Relocation Expenses

FOR the purpose of providing that the maximum limit for certain relocation payments may be an amount equal to the amount provided under certain federal relocation provisions; and generally relating to moving and relocation expenses.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 12-205

Annotated Code of Maryland

(1996 Replacement Volume)

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

Article – Real Property

12-205.

(a) Whenever a program or project undertaken by a displacing agency will result in the displacement of any person, the displacing agency shall make a payment to the displaced person, on proper application as approved by the displacing agency for:

- (1) Actual reasonable expenses in moving himself, his family, business, farm operation, or other personal property;
- (2) Actual direct loss of tangible personal property as a result of moving or discontinuing a business or farm operation, but not exceeding an amount equal to the reasonable expenses that would have been required to relocate the personal property, as determined by the agency;
- (3) Actual reasonable expenses in searching for a replacement business or farm; and
- (4) Actual reasonable expenses necessary to reestablish a displaced farm, nonprofit organization, or small business at its new site as determined by the displacing agency, but not to exceed \$10,000.

(b) Any displaced person eligible for payments under subsection (a) of this section, who is displaced from a dwelling and who elects to accept the payments authorized by this subsection in lieu of the payments authorized by subsection (a) of this section, may receive a moving expense allowance, determined according to a schedule established by the lead agency.

(c) (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