

No. 2015-88

AN ACT

HB 1411

Amending Title 26 (Eminent Domain) of the Pennsylvania Consolidated Statutes, in special damages for displacement, further providing for moving and related expenses of displaced persons, for replacement housing for homeowners and for replacement housing for tenants and others.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Sections 902(b)(4), 903(a)(1) and 904(a)(1) of Title 26 of the Pennsylvania Consolidated Statutes are amended to read:

§ 902. Moving and related expenses of displaced persons.

* * *

(b) Damages for dislocation of business or farm operation.—A displaced person who is displaced from a place of business or from a farm operation shall be entitled, in addition to any payment received under subsection (a), to damages for dislocation of business or farm operation as follows:

* * *

(4) Actual reasonable expenses necessary to reestablish a displaced farm, nonprofit organization or small business at its new site, but not to exceed ~~[\$12,000]~~ **\$25,000**. Sites occupied solely by outdoor advertising signs, displays or devices do not qualify for this benefit.

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§ 903. Replacement housing for homeowners.

(a) Additional payments to certain homeowners.—

(1) In addition to payments otherwise authorized, the acquiring agency shall make an additional payment not in excess of ~~[\$27,000]~~ **\$31,000** to any displaced person who is displaced from a dwelling actually owned and occupied by the displaced person for not less than ~~[180]~~ **90** days prior to the initiation of negotiations for the acquisition of the property or the receipt of written notice from the acquiring agency of intent to acquire or order to vacate.

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§ 904. Replacement housing for tenants and others.

(a) Payment to certain displaced persons.—

(1) In addition to amounts otherwise authorized, an acquiring agency shall make a payment to or for any displaced person displaced from a dwelling not eligible to receive a payment under section 903 (relating to replacement housing for homeowners), which dwelling was actually and lawfully occupied by the displaced person for not less than 90 days prior to the initiation of negotiations for acquisition of the dwelling or the receipt of written notice from the acquiring agency of intent to acquire or order to vacate. The payment shall be the amount determined to be necessary to enable the displaced person to lease a comparable replacement dwelling for a period not to exceed 42 months. The amount

shall be the additional amount, if any, over the actual rental or fair rental value of the acquired dwelling, but not more than ~~[\$6,300]~~ \$7,200.

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Section 2. This act shall take effect immediately.

APPROVED—The 20th day of December, A.D. 2015

TOM WOLF