

HB 2137 -- Relocation Assistance

Sponsor: Wright-Jones (63)

This bill changes the laws regarding relocation assistance. Currently, specific requirements are specified for a relocation plan unless the property being acquired under Chapters 99, 100, or 353 is subject to federal relocation standards. This bill adds property being acquired under Chapter 135 to these requirements.

Currently, payments are required to be made to all eligible displaced persons who occupy the property to be acquired for at least 90 days prior to the initiation of negotiations. The bill changes this to 90 days prior to the execution of the redevelopment agreement.

The bill expands the list of the relocation plan's requirements to include a program to provide proper and timely notice to all displaced persons whether or not they may be displaced. The notice must include a general description of their potential rights and benefits if displaced, their eligibility for relocation assistance, and the nature of that assistance. The information that must be included in the notice is specified.

Currently, handicapped people are given at least 90 days' notice of referral sites prior to the date they must vacate. Other individuals must receive at least 60 days' notice. The bill requires that all displaced people receive at least 90 days' notice.

All displaced persons eligible for payments currently must be given relocation payments based on a fixed \$500 payment or the actual and reasonable costs of relocating. The bill increases the fixed payment to \$1,000.

All displaced businesses eligible for payments currently must be given relocation payments equal to a \$1,500 fixed payment or the actual and reasonable costs of moving. The bill increases the fixed payment to \$3,000, increases the actual and reasonable cost of moving to include up to \$10,000 for re-establishment expenses, and allows a fixed payment of \$1,000 to \$20,000 instead of moving expenses if the business discontinues operations and does not have another business location engaged in similar activities. The amount of the \$1,000 to \$20,000 fixed payment is to be based on the average annual net earnings for the two tax years prior to the tax year in which the displacement occurs. Multiple businesses with a common ownership operating out of the same location are only eligible for one payment.

A business owner may waive his or her relocation payment as part of a negotiation for the acquisition of his or her business; however, the bill specifies that a person who does this still retains the right to receive the benefits of a program that identifies suitable replacement facilities as well as the program for providing proper and timely notice.