

~~THE PROPERTY TAKEN, OR ON THE REMAINDER IF THERE IS A PARTIAL TAKING, IS ENTITLED TO:~~

~~(H) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, COMPENSATION FOR LOSS OF GOODWILL, IF THE OWNER PROVES THAT THE LOSS:~~

~~1. IS CAUSED BY THE TAKING OF THE PROPERTY OR THE INJURY TO THE REMAINDER;~~

~~2. CANNOT REASONABLY BE PREVENTED BY A RELOCATION OF THE BUSINESS OR FARM OPERATION OR BY TAKING STEPS AND ADOPTING PROCEDURES THAT A REASONABLY PRUDENT PERSON WOULD TAKE AND ADOPT IN PRESERVING THE GOODWILL;~~

~~3. WILL NOT BE INCLUDED IN RELOCATION PAYMENTS UNDER SUBTITLE 2 OF THIS TITLE; AND~~

~~4. WILL NOT BE DUPLICATED IN THE COMPENSATION AWARDED TO THE OWNER; AND~~

~~(H) IF THE BUSINESS OR FARM OPERATION CANNOT BE CONTINUED ON THE PROPERTY AS A RESULT OF THE TAKING, BUT THE BUSINESS OR FARM OPERATION CAN BE RELOCATED, COMPENSATION FOR THE PRESENT VALUE OF REASONABLY ANTICIPATED REDUCTIONS IN NET OPERATING INCOME THAT ARE CAUSED BY THE TAKING AND THE RELOCATION OF THE BUSINESS OR FARM OPERATION FOR A PERIOD NOT EXCEEDING 3 YEARS FROM THE DATE OF THE RELOCATION.~~

~~(3) COMPENSATION FOR LOSS OF GOODWILL UNDER THIS SUBSECTION MAY NOT EXCEED 5 TIMES THE AVERAGE NET OPERATING INCOME FOR THE PREVIOUS 3 TAXABLE YEARS.~~

12-105.1.

(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE STATE OR ANY OF ITS INSTRUMENTALITIES OR POLITICAL SUBDIVISIONS SHALL FILE AN ACTION TO ACQUIRE PRIVATE PROPERTY FOR PUBLIC USE BY CONDEMNATION WITHIN ~~3~~ 4 YEARS OF THE DATE OF THE SPECIFIC ADMINISTRATIVE OR LEGISLATIVE ~~DETERMINATION~~ AUTHORIZATION TO ACQUIRE THE PROPERTY.

(B) IF AN ACTION FOR CONDEMNATION IS NOT FILED WITHIN ~~3~~ 4 YEARS OF THE DATE DESCRIBED IN SUBSECTION (A) OF THIS SECTION, THE STATE OR