

**NOTICE OF INTENT TO ADOPT PROPOSED AMENDMENTS TO THE
GEORGIA AUCTIONEERS COMMISSION
CHAPTER 55-3 APPLICATION FOR LICENSURE, RULE 55-3-.04
REINSTATEMENT - AUCTIONEER
AND NOTICE OF PUBLIC HEARING**

RULE 55-3-.04 REINSTATEMENT – AUCTIONEER

TO ALL INTERESTED PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Auctioneers Commission (hereinafter “Board”) proposes an amendment to Rule 55-3-.04, Reinstatement - Auctioneer (herein after “proposed rule”).

This notice, an exact copy of the proposed rule, and a synopsis of the proposed rule are being sent to all persons who have requested, in writing, to be included on a notification list. This notice, an exact copy of the proposed rule, and a synopsis of the proposed rule may also be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. The documents will also be available for review on the Board’s website at <https://sos.ga.gov/georgia-auctioneers-commission>. Copies may also be requested by contacting the Board office at (844) 753-7825.

The public will have an opportunity to comment upon and provide input into the proposed rule amendment at a public hearing to be held at 10:00 a.m., March 27, 2023, in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. If the Board office remains closed due to the public health emergency (COVID-19), the hearing will be held via teleconference. Please see Board’s website for information on how to join the meeting via teleconference.

Interested parties affected by the rule may submit written comments to the Board no later than close of business on March 19, 2023. Written comments must be legible, signed, contain contact information from the maker (address, telephone number, email address), and addressed to Gabriel Sterling, Interim Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Auctioneers Commission, 237 Coliseum Drive, Macon, Georgia 31217. Written comments may be faxed to (866) 888-9718.

During the public hearing, anyone may present data, make a statement, comment, or offer a viewpoint or argument, whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements will be limited to five (5) minutes per person.

The Board voted to post this Notice of Intent at its meeting on January 30, 2023. The Board also voted that the formulation and adoption of this rule amendment does not impose an excessive regulatory cost on any licensee, and any cost to comply with the proposed rule

amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-6-7, 43-6-8, 43-6-10, 43-6-11, 43-6-11.2, 43-6-12, and 43-6-13. Additionally, the Board voted that it was neither legal nor feasible in meeting the objectives of O.C.G.A. §§ 43-6-7, 43-6-8, 43-6-10, 43-6-11, 43-6-11.2, 43-6-12, and 43-6-13 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of Auctioneering.

According to the Department of Law of the State of Georgia, the Georgia Auctioneers Commission has the authority to adopt proposed Rule 55-3-.04 pursuant to authority contained in O.C.G.A. §§ 43-6-7, 43-6-8, 43-6-10, 43-6-11, 43-6-11.2, 43-6-12, and 43-6-13.

For further information, contact the Board office at (404) 424-9966.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This the 9th day of February 2023.

Gabriel Sterling
Interim Division Director
Professional Licensing Boards Division

Posted: 2/10/23

**SYNOPSIS OF PROPOSED CHANGES TO
RULE 55-3-.04 REINSTATEMENT – AUCTIONEER**

Purpose/Main Feature: The purpose of the proposed adoption is to clarify the requirements for reinstatement of an Auctioneer license in an effort to treat reinstatement applicants consistently, but not penalize applicants who have maintained a license in another state, especially with respect to examination requirements. The Board has considered multiple variations of these rule amendments and has determined this to be the most succinct wording while adhering to requirements in the statute and ensuring competent practitioners.

Rule 55-3-.04 Reinstatement – Auctioneer

- (1) Failure to renew an Auctioneer license prior to March 31st of each even numbered year shall have the same effect as revocation. Any consideration for license reinstatement shall be at the discretion of the Commission and shall require submission of a reinstatement application and reinstatement fee.
- (2) The Commission in its discretion may reinstate an Auctioneer license upon receipt of an application, evidence of completion of at least eight (8) hours of Commission-approved Continuing Education within the previous 24 months and appropriate fees as noted on the Fee Schedule.
- (3) Licenses that have been lapsed for over two (2) years may be reinstated at the discretion of the Commission when the applicant has met the following criteria:
 - (a) Retaken and passed the Commission-approved examination; or
 - (b) submitted a verified license in good standing issued by another country, or by any state, territory, or possession of the United States which has requirements for licensure substantially similar to the Commission.

Authority: O.C.G.A. §§ 43-6-7, 43-6-8, 43-6-10, 43-6-11, 43-6-11.2, 43-6-12, and 43-6-13.

RULES
OF
GEORGIA AUCTIONEERS COMMISSION
CHAPTER 55-3
APPLICATION FOR LICENSURE

Rule 55-3-.04 Reinstatement – Auctioneer

- (4) Failure to renew an Auctioneer license prior to March 31st of each even numbered year shall have the same effect as revocation. Any consideration for license reinstatement shall be at the discretion of the Commission and shall require submission of a reinstatement application and reinstatement fee.
- (5) The Commission in its discretion may reinstate an Auctioneer license upon receipt of an application, evidence of completion of at least eight (8) hours of Commission-approved Continuing Education within the previous 24 months and appropriate fees as noted on the Fee Schedule.
- (6) Licenses that have been lapsed for over two (2) years may be reinstated at the discretion of the Commission when the applicant has met the following criteria:
 - (a) Retaken and passed the Commission-approved examination; or
 - (b) submitted a verified license in good standing issued by another country, or by any state, territory, or possession of the United States which has requirements for licensure substantially similar to the Commission.

Authority: O.C.G.A. §§ 43-6-7, 43-6-8, 43-6-10, 43-6-11, 43-6-11.2, 43-6-12, and 43-6-13.