

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: H2/14/17

A Bill

HOUSE BILL 1455

5 By: Representative Payton
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LICENSING AND CONTINUING
9 EDUCATION REQUIREMENTS FOR AUCTIONEERS; TO PROVIDE
10 FOR A FOUR-YEAR AUCTIONEER'S LICENSE; AND FOR OTHER
11 PURPOSES.
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Subtitle

14 TO AMEND THE LICENSING AND CONTINUING
15 EDUCATION REQUIREMENTS FOR AUCTIONEERS;
16 AND; TO PROVIDE FOR A FOUR-YEAR
17 AUCTIONEER'S LICENSE.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 17-17-302 is amended to read as follows:
24 17-17-302. Issuance and renewal – Change of location.

25 (a)(1)(A) An examination ~~shall not be~~ is not required for the renewal
26 of ~~any~~ a present or future annual or four-year license unless the license has
27 been revoked.

28 ~~(B) In this case, the applicant~~ If a license is revoked,
29 the applicant shall take and pass the written examination offered by the
30 Auctioneer's Licensing Board before a new license may be issued.

31 (2) Licensed auctioneers have a one-hundred-twenty-day grace
32 period beyond a renewal date to renew ~~a~~ an annual or four-year license.

33 (3)(A) ~~Penalty~~ The penalty for a late ~~renewals~~ renewal beyond
34 the one-hundred-twenty-day grace period under subdivision (a)(2) of this
35 section shall be two (2) times the sum of a normal annual or four-year
36 license renewal fee.



1 (B)(i) The board shall notify a licensee of the penalty in
2 subdivision (a)(3)(A) of this section by first class mail.

3 (ii) If a licensee does not renew his or her annual
4 or four-year license within thirty (30) days after the notice in subdivision
5 (a)(3)(B)(i) of this section is mailed, the board shall send a second notice
6 by certified mail.

7 (b)(1)(A) The issuance fee for ~~each auctioneer's~~ an annual license
8 shall be one hundred dollars (\$100).

9 (B) The ~~annual~~ renewal fee for ~~each~~ an annual license
10 shall be one hundred dollars (\$100).

11 (C) ~~All licenses~~ An annual license shall expire expires on
12 June 30 of each year.

13 (2) In the absence of a reason or condition that might warrant
14 the refusal of the renewing of ~~the~~ an annual license and upon receipt of the
15 written request of the applicant and the applicant's ~~annual~~ renewal fee, the
16 board shall issue a new annual license each ensuing year.

17 (c)(1)(A) The issuance fee for a four-year license shall be four
18 hundred dollars (\$400).

19 (B) The renewal fee for a four-year license shall be four
20 hundred dollars (\$400).

21 (C) A four-year license expires on June 30 of every fourth
22 year from the date that the four-year license was issued.

23 (2) An applicant who has been licensed as an auctioneer or
24 auction house owner or operator by the board for a period of ten (10)
25 consecutive years or more shall be eligible to apply for a four-year license.

26 (3) In the absence of a reason or condition that might warrant
27 the refusal of the renewing of the four-year license and upon receipt of the
28 written request of the applicant and the applicant's renewal fee, the board
29 shall issue a new four-year license every fourth year from the date that the
30 applicant's four-year license was issued.

31 ~~(e)(d)~~ The board shall prepare and deliver to each licensee a an
32 annual or four-year license certificate and pocket card.

33 ~~(d)(1)~~(e)(1) Notice in writing shall be given to the board by each
34 licensee of any change of business location within thirty (30) days after any
35 change in location, and at that time the board shall issue a new license for
36 the unexpired period.

1 (2) A change of business location shall automatically cancel the
2 license previously issued.

3 (3) Changing a business location and issuance of a new license
4 shall entitle the board to collect five dollars (\$5.00).

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6 SECTION 2. Arkansas Code § 17-17-311 is amended to read as follows:

7 17-17-311. Continuing education.

8 (a)~~(1)(A)~~ Except as provided in subsection (c) of this section, every
9 application to the Auctioneer's Licensing Board for ~~annual~~ the renewal of ~~the~~
10 an annual license of an auctioneer shall be accompanied by proof that the
11 applicant has satisfactorily completed six (6) hours of continuing education
12 in approved programs within the preceding twelve-month period. ~~No~~
13 ~~auctioneer's license shall be renewed unless the application for renewal is~~
14 ~~accompanied by the proof required in this section.~~

15 (B) Except as provided in subsection (c) of this section,
16 every application to the board for the renewal of a four-year license of an
17 auctioneer shall be accompanied by proof that the applicant has
18 satisfactorily completed six (6) hours of continuing education in approved
19 programs within the preceding one-year period.

20 (2) An annual or four-year license of an auctioneer shall not be
21 renewed unless the application for renewal is accompanied by proof of
22 completion of the continuing education requirements under subsection (a) of
23 this section.

24 (b)~~(1)~~ All programs of continuing education for licensed auctioneers
25 shall be subject to approval of the board.

26 (2) The board is authorized to prescribe by ~~regulations~~ rule the
27 minimum standards and requirements for continuing education programs for
28 auctioneers, the procedures and policies for administering such programs, and
29 the manner and conditions under which credit will be granted for
30 participation in such programs.

31 (c) The continuing education requirements of this section ~~shall not be~~
32 are not applicable to ~~any~~ a person who has been licensed as an auctioneer or
33 auction house owner or operator by the board for a period of ten (10)
34 consecutive years or more and who is at least ~~fifty-five (55)~~ forty-five (45)
35 years of age.

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/s/Payton

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