

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: H2/14/17
A Bill

HOUSE BILL 1455

By: Representative Payton

For An Act To Be Entitled

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

Subtitle

TO AMEND THE LICENSING AND CONTINUING
EDUCATION REQUIREMENTS FOR AUCTIONEERS;
AND; TO PROVIDE FOR A FOUR-YEAR
AUCTIONEER'S LICENSE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 17-17-302 is amended to read as follows:
17-17-302. Issuance and renewal – Change of location.

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be~~ is not required for the renewal of ~~any~~ a present or future annual or four-year license unless the license has been revoked.

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17-17-311. Continuing education.

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

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

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

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

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

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

/s/Payton