

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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**HOUSE BILL 1341
Second Edition Engrossed 4/24/01**

Short Title: Amend Auctions/Auctioneers Laws.

(Public)

Sponsors: Representative Culpepper.

Referred to: Rules, Calendar, and Operations of the House.

April 12, 2001

A BILL TO BE ENTITLED

1
2 AN ACT AMENDING THE LAWS RELATING TO AUCTIONS AND
3 AUCTIONEERS AND AUTHORIZING THE NORTH CAROLINA
4 AUCTIONEERS COMMISSION TO ADOPT RULES RELATING TO
5 CONTINUING EDUCATION REQUIREMENTS, TO ACQUIRE REAL
6 PROPERTY, AND TO PURCHASE EQUIPMENT AND LIABILITY
7 INSURANCE.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 85B-3.2 is amended by adding a new subsection to read:

10 "(g) The Commission shall collect any fees required by the Department of Justice
11 and shall remit the fees to the Department of Justice for expenses associated with
12 conducting the criminal history record check."

13 **SECTION 2.** G.S. 85B-4(e1) reads as rewritten:

14 "(e1) The Commission may require licensees to complete annually not more than
15 six hours of Commission-approved continuing education courses prior to license
16 renewal. The Commission may impose different continuing education requirements,
17 including no such requirements, upon the classes of licensees under this Chapter. The
18 Commission may waive any or all continuing education requirements in cases of
19 hardship, disability, or illness, or under other circumstances as the Commission deems
20 appropriate. The Commission may adopt rules not inconsistent with the provisions of
21 this Chapter to establish continuing education requirements, including rules that govern
22 any of the following:

23 (1) The content and subject matter of continuing education courses.

24 (2) The curriculum of required continuing education courses.

25 (3) The criteria, standards, and procedures for the approval of courses,
26 course sponsors, and course instructors.

27 (4) The methods of instruction for continuing education courses.

28 (5) The computation of course credit.

- 1 (6) The number of credit hours needed annually.
2 (7) The ability to carry forward course credit from one year to another.
3 (8) The waiver of the continuing education requirement for hardship or
4 other reasons to be determined by the Commission.
5 (9) The procedures for compliance and noncompliance with continuing
6 education requirements."

7 **SECTION 3.** G.S. 85B-3.1 is amended by adding the following new
8 subsections to read:

9 "(c) The Commission shall have the power to acquire, hold, rent, encumber,
10 alienate, and otherwise deal with real property in the same manner as a private person or
11 corporation, subject only to approval of the Governor and the Council of State as to the
12 acquisition, rental, encumbering, leasing, and sale of real property. Collateral pledged
13 by the Commission for an encumbrance is limited to the assets, income, and revenues of
14 the Commission.

15 (d) The Commission may purchase, rent, or lease equipment and supplies and
16 purchase liability insurance or other insurance to cover the activities of the Commission,
17 its operations, or its employees."

18 **SECTION 4.** This act is effective when it becomes law.