



Sub HB 48 was signed by Governor Strickland on June 12, 2008. It will go into effect on September 12, 2008. A complete copy of the bill is available on our webpage at: www.ohioagriculture.gov/auction.

Key Provisions of Sub HB 48:



R.C. 4707.02(B)(5)(b):

- ◆ Provides exemption from the license requirement for auctions sponsored by a charitable, religious or civic organization that is tax exempt under 501(c)(3) of the Internal Revenue Code or auctions by a public school, charter nonpublic school, or community school;
- ◆ No person can receive compensation for the organizing, arranging, or conducting of the auction;
- ◆ No consignors of the property consigned to the auction can receive compensation from the proceeds of the auction. This means all of proceeds of the goods sold must go to directly to the charity or nonprofit;
- ◆ Compensation is defined as “money, a thing of value other than participation in a charitable event, or a financial benefit”;
- ◆ This provision exempts the non-profit organization or school from having to be licensed or use a licensed auctioneer.
- ◆ If anyone receives compensation for organizing, arranging or conducting the auction, they must be licensed.



R.C. 4707.02(C):

- ◆ No person shall advertise or hold oneself out as an auction firm, auctioneer, apprentice auctioneer, or special auctioneer without a license under R.C. 4707;
- ◆ This provision does not apply to the individual who is the subject of the ad of an auction conducted under R.C. 4707.02(B)(5)(b). The person who places the ad would be held accountable.



R.C. 4707.20(A)

- ◆ Any licensee who donates his or her time to conduct a charity auction for a 501(c)(3) or for a school is exempt from having to comply with the contract requirements. This only applies when the auctioneer is donating his or her services. If you are receiving compensation, then you must comply with all provisions of the chapter, including the contract requirement.



R.C. 4707.21

- ◆ All organizations who are exempt under R.C. 4707.02(B)(5)(b) are required to maintain the auction records for a period of two years and must make them available to the department upon request.



R.C. 4707.26(A)(2)(d)

- ◆ Exempts auctions conducted under R.C. 4707.02(B)(5)(b) from the auction recovery fund.

