

**Department of  
Agriculture**Governor John R. Kasich • Lt. Governor Mary Taylor  
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## **PUBLIC NOTICE**

The Ohio Department of Agriculture will hold a public hearing for the purpose of accepting testimony on the proposed amendments made to Chapter 901:8-2 of the Ohio Administrative Code.

In 2016, H.B. 131, 131<sup>st</sup> G.A. clarified Chapter 4707 by stating that the chapter does not apply to “sales of real or personal property conducted by means of the internet provided that they are not conducted in conjunction with a live auction.” This amendment clarified that licensure requirements apply when auctions are conducted by means of the internet in conjunction with a live auction.

Ohio Administrative Code (OAC) section 901:8-2-11 is proposed in response to that legislative amendment. The rule outlines the procedure for holding online auctions in conjunction with live auctions. The rule requires entering into a contract and clarifies records that must be maintained for online auctions conducted in conjunction with live auctions.

In addition, OAC 901:8-2-05 is being amended to require the resubmission of an auctioneer license for Limited Liability Corporations (LLCs) who undergo controlling ownership interest changes. Pursuant to Ohio Revised Code (ORC) 4707.02(A), the Department shall not issue or renew an auction license if the person has been convicted of a felony or crime involving theft. By requiring the resubmission of a license application for entities that undergo changes in controlling interests, the Department can assure that the entity is not under the advice and control of a person unfit to be licensed by the Department.

The hearing will be held on:

**March 16, 2017 at 9:00 A.M.**

**Ohio Department of Agriculture  
Bromfield Administration Building  
Hearing Room 133 (Seminar “B”)  
8995 East Main Street  
Reynoldsburg, Ohio 43068-3399.**

The hearing will be conducted in accordance with Chapter 119 of the Revised Code. Any person affected by the no change rule package may appear and be heard in person, by his attorney, or both, may present his position, arguments, or contentions, orally or in writing, offer and examine witnesses, and present evidence tending to show that the no change rule package, if adopted or effectuated, will be unreasonable or unlawful.

**More information on the rule package, including a business impact analysis and copies of the rules, can be found at <http://www.agri.ohio.gov/proposedrules/proposedrules.aspx> or by visiting the Register of Ohio at [www.registerofohio.state.oh.us](http://www.registerofohio.state.oh.us).**

Any person who wishes to present his position, arguments, or contentions in writing, other than at the public hearing, may do so by either mailing his or her written comments to the Ohio Department

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of Agriculture, c/o Legal Section, 8995 East Main Street, Reynoldsburg, Ohio 43068; by email at [ecomments@agri.ohio.gov](mailto:ecomments@agri.ohio.gov), or by transmitting by facsimile at (614) 995-4585. Written comments sent by mail shall be postmarked no later than the day of the hearing. Written comments transmitted by facsimile shall be received no later than 5:00 p.m. on the day of the hearing.



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