

House Bill 579

By: Representatives Reeves of the 99<sup>th</sup>, Hatchett of the 155<sup>th</sup>, Wiedower of the 121<sup>st</sup>, Prince of the 132<sup>nd</sup>, Fleming of the 114<sup>th</sup>, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Title 43 of the Official Code of Georgia Annotated, relating to professions and  
2 businesses, so as to revise provisions relating to licensure to engage in the practice of a  
3 profession, business, or trade in this state; to revise provisions relating to meetings of  
4 professional licensing boards; to revise provisions relating to the roster of licensees; to revise  
5 provisions relating to the duties of the division director; to provide for the review and  
6 granting of applications for the issuance, renewal, or reinstatement of licenses by the director  
7 of the professional licensing boards division; to revise provisions relating to the removal of  
8 members of a professional licensing board; to require that the rules and regulations  
9 promulgated by professional licensing boards be designed to protect the health, safety, and  
10 welfare of the public; to repeal and reenact provisions relating to auctioneers; to provide for  
11 the registration of auctioneers; to provide exceptions; to provide for application for such a  
12 registration; to provide for the refusal to grant such a registration; to provide for the  
13 suspension, revocation, or refusal to renew such a registration; to provide for the temporary  
14 issuance of such a registration; to provide for bonding requirements; to prohibit certain  
15 conduct of auctioneers; to provide a civil penalty; to provide for the transfer of moneys held  
16 in the auctioneers education, research, and recovery fund; to provide a sunset date on the  
17 filing of claims against such fund; to provide a short title; to repeal and reenact provisions  
18 relating to geologists; to provide for the registration of geologists; to provide exceptions; to

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19 provide for application for such a registration; to provide for the refusal to grant such a  
20 registration; to provide for the suspension, revocation, or refusal to renew such a registration;  
21 to provide for the temporary issuance of such a registration; to provide for bonding  
22 requirements; to provide for the use of seals by geologists; to prohibit certain activities; to  
23 provide a civil penalty; to provide a short title; to repeal and reenact provisions relating to  
24 hearing aid dealers and dispensers; to provide for the registration of hearing aid dealers; to  
25 provide exceptions; to provide for application for such a registration; to provide for the  
26 refusal to grant such a registration; to provide for the suspension, revocation, or refusal to  
27 renew such a registration; to provide for the temporary issuance of such a registration; to  
28 provide for bonding requirements; to prohibit certain conduct of hearing aid dealers; to  
29 provide a civil penalty; to provide a short title; to provide for construction; to provide for  
30 definitions; to conform a cross-reference; to amend Title 49 of the Official Code of Georgia  
31 Annotated, relating to social services, so as to conform a cross-reference; to provide for an  
32 effective date; to provide for related matters; to repeal conflicting laws; and for other  
33 purposes.

34 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

35 **PART I**  
36 **SECTION 1-1.**

37 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,  
38 is amended by revising Code Section 43-1-2, relating to appointment and powers of division  
39 director, members and meetings of professional licenses board, examination standards, roster  
40 of licensees, and funding, as follows:

41 "43-1-2.

42 (a)(1) There is created within the office of the Secretary of State the professional  
43 licensing boards division as successor to the office of the joint-secretary of the state  
44 examining boards. The Secretary of State is authorized and directed to appoint a director  
45 of the professional licensing boards division.

46 (2) Any action of the joint-secretary taken with regard to any state examining board prior  
47 to July 1, 2000, shall thereafter be deemed to be action taken by the director of the  
48 professional licensing boards division and that division director shall thereafter act in the  
49 stead of such joint-secretary and succeed to the powers and duties of the joint-secretary  
50 with regard to those state examining boards. The rights, privileges, entitlements, or  
51 duties of parties to contracts, leases, agreements, or other transactions entered into by the  
52 joint-secretary prior to July 1, 2000, shall continue to exist and shall not be impaired or  
53 diminished by reason of the succession of the division director to the powers and duties  
54 of the joint-secretary.

55 (b) The salary of the division director shall be fixed by the Secretary of State, and he or  
56 she shall hold office at the pleasure of the Secretary of State.

57 (c) The Secretary of State, notwithstanding any other provisions of law to the contrary,  
58 shall employ personnel as deemed necessary to carry out this chapter and to provide for all  
59 services required by each of the professional licensing boards and shall establish within the  
60 guidelines provided by the laws and rules and regulations of the State Personnel Board the  
61 qualifications of such personnel.

62 (d) The division director, with the approval of the Secretary of State, notwithstanding any  
63 other provisions of law to the contrary, shall enter into such contracts as are deemed  
64 necessary to carry out this chapter to provide for all services required by each of the  
65 professional licensing boards.

66 (e) The Secretary of State, notwithstanding any other provisions of law to the contrary,  
67 shall have the power to employ and shall set the qualifications and salary for a deputy

68 division director and shall appoint executive directors as required who shall act in the  
69 absence of the division director and who shall perform such other functions of the division  
70 director under this chapter as the division director may designate. The deputy division  
71 director and executive directors as appointed shall be in the unclassified service and shall  
72 be excluded from the classified service as defined in Article 1 of Chapter 20 of Title 45.

73 (f) Notwithstanding any other provisions of law to the contrary, each member of the  
74 various professional licensing boards may receive the expense allowance as provided by  
75 subsection (b) of Code Section 45-7-21 and the same mileage allowance for the use of a  
76 personal car as that received by all other state officials and employees or a travel allowance  
77 of actual transportation cost if traveling by public carrier within the state. Any board  
78 member shall also be reimbursed for any conference or meeting registration fee incurred  
79 in the performance of his or her duties as a board member. For each day's service outside  
80 of the state as a board member, such member shall receive actual expenses as an expense  
81 allowance as well as the same mileage allowance for the use of a personal car as that  
82 received by other state officials and employees or a travel allowance of actual  
83 transportation cost if traveling by public carrier or by rental motor vehicle. Expense  
84 vouchers submitted by members of the various professional licensing boards are subject  
85 to approval of the president or chairperson of the respective board and the division director.

86 (g) All meetings and hearings of the respective professional licensing boards shall be held  
87 ~~in the capitol~~, at the site of the office of the respective board; or at such other site as may  
88 be requested by the chairperson or president of a professional licensing board and approved  
89 by the division director.

90 (h) A majority of the appointed members of a professional licensing board shall constitute  
91 a quorum for the transaction of business by that board.

92 (h.1) Members of a professional licensing board shall serve until the expiration of the term  
93 for which they were appointed and until their successors have been appointed and qualified  
94 unless otherwise specified under the provisions of this title.

95 (i) A schedule of all meetings and hearings of the various professional licensing boards  
96 shall be maintained at the office of the division director and be available for public review.

97 (j)(1) The division director may establish administrative standards for the examination  
98 of applicants for licensure by the various professional licensing boards, notwithstanding  
99 any other provisions of law to the contrary. These administrative standards may include  
100 the setting of date, time, and location of examinations, subject to the approval of the  
101 respective professional licensing boards. Notwithstanding any other provisions of law  
102 to the contrary, examination criteria, examination grading procedures, examination fees,  
103 examination passing score requirements, and other matters pertaining to the examination  
104 of applicants for licensure may be adopted by rules of the respective professional  
105 licensing boards as necessary to implement such examination standards. Examination  
106 standards, including examination criteria, grading procedures, and passing score  
107 requirements, developed in agreement or in conjunction with a national association of  
108 state boards or other related national association for the administration of a nationally  
109 recognized uniform examination may be adopted in lieu of state standards by the  
110 respective professional licensing boards.

111 (2)(A) Notwithstanding any other provision of this title to the contrary, whenever an  
112 applicant for the issuance of a license is required to obtain prior approval from a  
113 professional licensing board before such applicant is permitted to take an examination  
114 required in connection with such license, the division director shall be authorized to  
115 grant such approval on behalf of the applicable professional licensing board, provided  
116 that the division director is able to determine that the applicant has satisfied all other  
117 requirements that may be provided under this title for such applicant to take such  
118 examination.

119 (B) Nothing in this paragraph shall prevent a professional licensing board from  
120 granting or denying its approval for any applicant seeking the issuance of a license to  
121 take an examination required in connection with such license, and such grant or denial

122 of approval from a professional licensing board with respect to a particular applicant  
123 shall not be contradicted by the division director acting under the authorization  
124 provided in this paragraph.

125 (C) As used in this paragraph, the term 'license' shall have the same meaning as set  
126 forth in Code Section 43-1-3.1.

127 (k) The division director shall prepare and maintain a roster containing the names and  
128 addresses of all current licensees for each of the various professional licensing boards as  
129 well as all persons who have been issued a cease and desist order by a professional  
130 licensing board pursuant to Code Section 43-1-20.1, or pursuant to any other provision of  
131 law, for engaging in the practice of a business or profession without a license. A copy of  
132 this roster for each professional licensing board, except for home addresses of licensees,  
133 shall be made available on the public website of the secretary of state and shall include, in  
134 one location, the names of licensees and persons issued cease and desist orders. A copy  
135 of the roster, except for home addresses of licensees, shall also be made available to any  
136 person upon request at a fee prescribed by the division director sufficient to cover the cost  
137 of printing and distribution. The following shall be treated as confidential and need not be  
138 disclosed without the approval of the professional licensing board to which application is  
139 made:

140 (1) Applications and other personal information, including home addresses, submitted  
141 by applicants, except to the applicant, staff, and the board;

142 (2) Information, favorable or unfavorable, submitted by a reference source concerning  
143 an applicant, except to the staff and the board;

144 (3) Examination questions and other examination materials, except to the staff and the  
145 board; and

146 (4) The deliberations of the board with respect to an application, an examination, a  
147 complaint, an investigation, or a disciplinary proceeding, except as may be contained in  
148 official board minutes.

149 (l) Funding for the office of the division director and the various professional licensing  
 150 boards served by such office shall be contained in a common budget unit as defined in  
 151 Part 1 of Article 4 of Chapter 12 of Title 45, the 'Budget Act.'"

152 **SECTION 1-2.**

153 Said title is further amended in Code Section 43-1-3, relating to duties of the division director  
 154 and serving notice or process on boards through the division director, by revising subsection  
 155 (a) as follows:

156 "(a) It shall be the duty of the division director:

157 (1) To bring together and keep all records relating to the professional licensing boards;

158 (2) To receive all applications for licenses;

159 (3) To review and grant applications for the issuance, renewal, or reinstatement of  
 160 licenses in accordance with the provisions of Code Section 43-1-3.1;

161 (4) With the consent of the board concerned, to schedule the time and place for  
 162 examinations;

163 ~~(4)~~(5) To schedule the time and place for all hearings;

164 ~~(5)~~(6) To issue certificates upon authority of the professional licensing board concerned;  
 165 and

166 ~~(6)~~(7) Except as otherwise provided by law, to collect all fees required by law in  
 167 connection with the licensing of trades and professions under such boards and to remit  
 168 the same to the state treasurer for deposit into the general fund of the state.

169 Notwithstanding any other provision of law, the division director is authorized to retain  
 170 all funds received as collection fees for use in defraying the cost of collection of fees

171 required under this chapter; provided, however, that nothing in this Code section shall be

172 construed so as to allow the division director to retain any funds required by the

173 Constitution of Georgia to be paid into the state treasury; and provided, further, that the

174 division director shall comply with all provisions of Part 1 of Article 4 of Chapter 12 of

175 Title 45, the 'Budget Act,' except Code Section 45-12-92, prior to expending any such  
176 funds."

177 **SECTION 1-3.**

178 Said title is further amended by adding a new Code section to read as follows:

179 "43-1-3.1.

180 (a) As used in this Code section, the term 'license' means any license, certificate, permit,  
181 registration, or other document that is issued by a professional licensing board and that is  
182 required under this title for a person to engage in the practice of a profession, business, or  
183 trade in this state. Such term shall include, without limitation, any expedited license,  
184 temporary license, special license, or license by endorsement that is issued by a  
185 professional licensing board under this title.

186 (b)(1) Notwithstanding any provision of this title to the contrary, the division director  
187 shall be authorized to review each application for the issuance, renewal, or reinstatement  
188 of a license and, upon determining that an application furnishes evidence that the  
189 applicant has achieved or satisfied all of the qualifications, attainments, and other  
190 conditions required for the issuance, renewal, or reinstatement of a particular license  
191 under the provisions of this title, shall be authorized, on behalf of the applicable  
192 professional licensing board, to issue the license to or renew or reinstate the license of the  
193 applicant.

194 (2) Whenever the division director reviews any application for the issuance, renewal, or  
195 reinstatement of a license pursuant to paragraph (1) of this subsection and cannot  
196 determine, based on such application, that the applicant has achieved or satisfied all of  
197 the qualifications, attainments, and other conditions required for the issuance, renewal,  
198 or reinstatement of the license under the provisions of this title, the division director shall  
199 not take any action on the application and shall forward the application to the applicable



200 professional licensing board who shall then review, consider, and either grant or deny the  
201 application in a timely manner.

202 (c) Nothing in this Code section shall prevent a professional licensing board from  
203 reviewing applications for the issuance, renewal, or reinstatement of a license that is issued  
204 by such professional licensing board and granting or denying such application. Any such  
205 application which a professional licensing board has granted or denied shall not be  
206 reviewed or considered by the division director and, if the division director is in the process  
207 of reviewing or considering such application at the time the professional licensing board  
208 grants or denies such application, the division director shall cease his or her review of such  
209 application and shall not take any further action on the application.

210 (d) When it is necessary for the division director, in connection with his or her review of  
211 an application for the issuance, renewal, or reinstatement of a license under subsection (b)  
212 of this Code section, to determine whether the applicant has satisfied any postsecondary  
213 education requirements required for the issuance, renewal, or reinstatement of such license,  
214 the division director shall not be required to obtain official transcripts evidencing the  
215 satisfaction of such education requirements from the relevant postsecondary education  
216 institution, provided that the division director is able to obtain confirmation, through other  
217 reliable means, from the postsecondary education institution that such education  
218 requirements have been satisfied. Each postsecondary education institution in this state is  
219 encouraged to work with the division director to develop such alternative method of  
220 confirming the satisfaction of education requirements as provided in this title."

221 **SECTION 1-4.**

222 Said title is further amended by revising Code Section 43-1-17, relating to removal from  
223 office member of a professional licensing board, as follows:

224 "43-1-17.

225 The Governor, ~~after notice and opportunity for hearing,~~ may remove from office any  
226 member of a professional licensing board for any of the following:

227 (1) Inability or neglect to perform the duties required of members;

228 (2) Incompetence; or

229 (3) Dishonest conduct."

230 **SECTION 1-5.**

231 Said title is further amended by revising Code Section 43-1-26, which is reserved, as follows:

232 "43-1-26.

233 Notwithstanding any provision of this title to the contrary, the power of each professional  
234 licensing board to promulgate rules and regulations as provided in this title shall be limited  
235 to the promulgation of rules and regulations that are designed to protect the health, safety,  
236 and welfare of the public regarding the particular profession, business, or trade that is  
237 regulated by such professional licensing board Reserved."

238 **PART II**

239 **SECTION 2-1.**

240 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,  
241 is amended by repealing in its entirety Chapter 6, relating to auctioneers, and enacting a new  
242 Chapter 6 to read as follows:

243

"CHAPTER 6244 43-6-1.

245 This chapter shall be known and may be cited as the 'Georgia Auctioneers Registration  
246 Act.'

247 43-6-2.248 As used in this chapter, the term:

249 (1) 'Absolute auction' means that ownership and title of real or personal property offered  
250 at auction must be conveyed to the high bidder without reservation and without any  
251 competing bids of any type by the owner or an agent of the owner of such property.

252 (2) 'Auction with reserve' means that the seller reserves the right to refuse any and all  
253 bids.

254 (3) 'Auctioneer' means an individual who, for a fee, commission, or any other valuable  
255 consideration or with the intention or expectation of receiving the same by means of or  
256 by process of an auction or sale at auction, offers, negotiates, or attempts to negotiate a  
257 listing contract, sale, purchase, or exchange of goods, chattels, merchandise, real or  
258 personal property, or any other commodity which lawfully may be kept or offered for sale  
259 and has been duly licensed, as provided in this chapter.

260 (4) 'Auctioneering' or 'acting as an auctioneer' means the performing of any of the acts  
261 of an auctioneer, including bid calling for a fee, commission, or any other valuable  
262 consideration or with the intention or expectation of receiving the same by means of or  
263 by process of an auction or sale at auction or offering, negotiating, or attempting to  
264 negotiate a listing contract for the sale, purchase, or exchange of goods, chattels,  
265 merchandise, real or personal property, or any other commodity which lawfully may be  
266 kept or offered for sale.

267 (5) 'Goods' means any chattel, goods, merchandise, real or personal property, or  
268 commodities of any form or type which lawfully may be kept or offered for sale.

269 (6) 'Registration' means registration as an auctioneer pursuant to this chapter.

270 (7) 'Ringperson' means an individual employed directly by or working under the direct  
271 supervision of an auctioneer responsible for a sale who assists the auctioneer in the  
272 conducting of an auction, provided that such individual does not call or chant a bid or  
273 negotiate a listing contract.

274 (8) 'Secretary of State' means the Secretary of State of the State of Georgia or his or her  
275 designee.

276 (9) 'State' means a state of the United States, the District of Columbia, Puerto Rico, the  
277 United States Virgin Islands, or any territory or insular possession subject to the  
278 jurisdiction of the United States.

279 43-6-3.

280 By acting as an auctioneer in this state, a nonresident individual appoints the Secretary of  
281 State as the individual's agent for service of process in any civil action in this state related  
282 to the individual's auctioneering in this state.

283 43-6-4.

284 (a) Except as otherwise provided in subsection (b) of this Code section, an individual shall  
285 not engage in auctioneering in this state without holding a certificate of registration under  
286 this chapter.

287 (b) The provisions of this chapter shall not apply to any individual:

288 (1) Acting as a receiver, trustee in bankruptcy, administrator, executor, or any such  
289 individual acting under order of any court;

290 (2) Acting as an auctioneer in the auction of livestock, forest products, or farm products  
291 in an auction facility which is licensed and bonded under the provisions of Article 3 of

292 Chapter 6 of Title 4 or in an auction facility which is licensed under Code Section  
293 10-4-101 or in any youth livestock auction that is sponsored by a 4-H Club or the Future  
294 Farmers of America;

295 (3) Conducting a public sale of personal property pursuant to the provisions of Code  
296 Section 10-4-213; or

297 (4) Acting as a ringperson.

298 43-6-5.

299 An applicant for registration shall submit an application to the Secretary of State in a form  
300 prescribed by the Secretary of State. An application filed under this Code section is a  
301 public record. The application shall be in the name of an individual and state or contain  
302 the following and any other information required by the Secretary of State:

303 (1) The name of the applicant and the address of the applicant's residence and principal  
304 place of business;

305 (2) The name of the applicant's business or employer, if applicable;

306 (3) Any business or occupation engaged in by the applicant for the five years next  
307 preceding the date of submission of the application;

308 (4) A description of the applicant's:

309 (A) Formal training as an auctioneer;

310 (B) Practical experience as an auctioneer; and

311 (C) Educational background relating to the applicant's activities as an auctioneer;

312 (5) Identification of an active escrow or trust account that will be used and maintained  
313 by the applicant while engaged in auctioneering in this state;

314 (6) The names and addresses of three individuals not related to the applicant who are  
315 willing to serve as references;

316 (7) The names and addresses of all persons who are:

- 317 (A) With respect to the auctioneer's business if it is not a corporation, the partners,  
318 members, officers, managers, associates, or profit sharers of the business; and  
319 (B) With respect to a corporation employing the auctioneer, the officers, directors, and  
320 any shareholder of the corporation having an interest of 5 percent or greater;  
321 (8) Whether the applicant or any person named pursuant to paragraph (7) of this Code  
322 section has been convicted of a crime that, if committed in this state, would be a crime  
323 involving moral turpitude or a felony, and identify the crime;  
324 (9) Whether there has been any administrative or judicial determination that the applicant  
325 or any person named pursuant to paragraph (7) of this Code section has made a false,  
326 misleading, deceptive, or fraudulent representation;  
327 (10) Any sanction, suspension, or disciplinary action taken against the applicant or any  
328 person named pursuant to paragraph (7) of this Code section arising out of occupational  
329 or professional conduct; and  
330 (11) Whether there has been any denial of an application for, suspension or revocation  
331 of, or refusal to renew the registration or licensure of the applicant or any person named  
332 pursuant to paragraph (7) of this Code section as an auctioneer in any state.

333 43-6-6.

334 (a) Except as otherwise provided in subsection (b) of this Code section, the Secretary of  
335 State shall issue a certificate of registration to an individual who complies with Code  
336 Section 43-6-5.

337 (b) The Secretary of State may refuse to issue a certificate of registration if it is determined  
338 that the applicant has engaged in conduct that has a significant adverse effect on the  
339 applicant's fitness to act as an auctioneer. In making the determination, the Secretary of  
340 State may consider whether the applicant has:

341 (1) Been convicted of a crime that, if committed in this state, would be a crime involving  
342 moral turpitude or a felony;

- 343 (2) Made a material false, misleading, deceptive, or fraudulent representation in the  
344 application or as an auctioneer;
- 345 (3) Engaged in conduct that would disqualify the applicant from serving in a fiduciary  
346 capacity;
- 347 (4) Engaged in conduct prohibited by this chapter;
- 348 (5) Had a registration or licensure as an auctioneer suspended, revoked, or denied or  
349 been refused renewal of registration or licensure as an auctioneer in any state; or
- 350 (6) Engaged in conduct that significantly adversely reflects on the applicant's credibility,  
351 honesty, or integrity.
- 352 (c) In making a determination under subsection (b) of this Code section, the Secretary of  
353 State shall consider:
- 354 (1) How recently the conduct occurred;
- 355 (2) The nature of the conduct and the context in which it occurred; and
- 356 (3) Any other relevant conduct of the applicant.
- 357 (d) The refusal to grant a registration as provided in this Code section shall not be  
358 considered to be a contested case within the meaning of Chapter 13 of Title 50, the  
359 'Georgia Administrative Procedure Act,' and notice and hearing within the meaning of such  
360 chapter shall not be required in connection with such refusal. Notice of refusal to grant a  
361 registration shall be sent by registered mail or statutory overnight delivery or personal  
362 service setting forth the particular reasons for the refusal. The written notice shall be sent  
363 to the applicant's address of record with the Secretary of State, and the applicant shall be  
364 allowed to appear before the Secretary of State if the applicant requests to do so in writing.
- 365 (e) An auctioneer may apply to renew a registration by submitting an application for  
366 renewal in a form prescribed by the Secretary of State. An application filed under this  
367 subsection is a public record.
- 368 (f) A certificate of registration or a renewal of a registration shall be valid for a period of  
369 up to two years.

370 43-6-7.

371 (a) The Secretary of State may suspend, revoke, or refuse to renew a registration or may  
372 discipline an individual registered under this chapter for conduct that would have justified  
373 denial of registration under Code Section 43-6-6.

374 (b) The Secretary of State may discipline, suspend, revoke, or refuse to renew a certificate  
375 of registration only after proper notice and an opportunity for a hearing.

376 (c) Except as otherwise provided, the provisions of Chapter 13 of Title 50, the 'Georgia  
377 Administrative Procedure Act,' shall be applicable to the provisions of this chapter and to  
378 the Secretary of State in carrying out the provisions of this chapter.

379 43-6-8.

380 (a) An application for registration or renewal of registration shall be accompanied by such  
381 fee as shall be prescribed by the Secretary of State and a renewal bond, if applicable. The  
382 fee shall be the same for all applicants regardless of previous or current registrations or  
383 licenses in other states or jurisdictions as an auctioneer.

384 (b) Notwithstanding subsection (a) of Code Section 43-6-4, an individual who was  
385 licensed as an auctioneer in this state on June 30, 2026, shall be permitted to engage in  
386 auctioneering under such license until September 30, 2026, after which such individual  
387 shall be required to hold a certificate of registration issued in accordance with the  
388 provisions of this chapter to engage in such auctioneering; provided, however, that such  
389 individual shall not be required to pay an application fee in connection with his or her  
390 initial application for registration under this chapter if such individual submits such  
391 application on or before September 30, 2026.

392 43-6-9.

393 The Secretary of State may issue a temporary certificate of registration while an application  
394 for registration or renewal of registration is pending, upon receipt by the Secretary of State



395 of a completed application for registration, surety bond, and fee and after approval by the  
396 Secretary of State. The Secretary of State may in his or her discretion issue a temporary  
397 registration to the applicant, which registration shall have the same force and effect as a  
398 permanent registration for such period of time prescribed by the Secretary of State, after  
399 which the temporary registration shall become void. A temporary registration may be  
400 voided by the Secretary of State at any time.

401 43-6-10.

402 (a) An auctioneer shall deposit or have deposited with the Secretary of State, prior to the  
403 issuance of a registration or renewal of a registration, a surety bond in the penal sum of not  
404 less than \$10,000.00, as established by the Secretary of State. Such surety bond shall be  
405 executed in the favor of the state with a surety company authorized to do business in this  
406 state and conditioned to pay damages in the amount of such bond to any person aggrieved  
407 by any act of the principal named in such bond, which act is in violation of Code Section  
408 43-6-11 or would be grounds for revocation of a registration under this chapter.

409 (b) If any auctioneer fails to maintain such bond so as to comply with the provisions of this  
410 Code section, the registration issued to the auctioneer shall be suspended until such time  
411 as a new bond is obtained. An auctioneer whose registration is suspended pursuant to this  
412 Code section shall not engage in any auctioneering during the period of suspension.

413 43-6-11.

414 (a) An auctioneer shall not, in connection with any auctioneering:

415 (1) Make any substantial misrepresentation while describing any property, real or  
416 personal; use any false, deceptive, misleading, or untruthful advertising; or make any  
417 statements, either in person or through any form of advertising, which may create false  
418 or unjustified expectations of the services to be performed;

419 (2) Pursue a continued and flagrant course of misrepresentation or make false promises  
420 through agents;

421 (3) Advertise an auction to be an absolute auction with intent to conduct it as an auction  
422 with reserve or otherwise; or

423 (4) Fail to account for or remit, within 30 days unless otherwise provided by contract,  
424 any money belonging to others that comes into his or her possession, commingle funds  
425 of others with his or her own, or fail to keep such funds of others in an escrow or trust  
426 account.

427 (b) It shall be unlawful for any auctioneer to act as an auctioneer in the sale of real  
428 property unless such auctioneer is also licensed as a real estate broker, associate broker, or  
429 salesperson under Chapter 40 of this title; provided, however, that any auctioneer who was  
430 licensed as such by this state prior to July 1, 1978, shall not be required to meet the  
431 provisions of this subsection, but such auctioneer shall not thereby be construed to be a real  
432 estate broker, associate broker, or salesperson under Chapter 40 of this title.

433 43-6-12.

434 The Secretary of State may assess a civil penalty against an auctioneer not to exceed  
435 \$10,000.00 for a violation of this chapter.

436 43-6-13.

437 (a) Any and all moneys held in the auctioneers education, research, and recovery fund  
438 established and maintained pursuant to the provisions of this chapter as they existed on  
439 June 30, 2026, shall be transferred to the general fund of the state treasury and, except as  
440 provided in subsection (b) of this Code section, on or after July 1, 2026, no person shall  
441 have a claim against such moneys or be entitled to the payment of any sum from such fund.

442 (b) Any person who filed a claim against the auctioneers education, research, and recovery  
443 fund on or before June 30, 2026, may continue to pursue such claim in accordance with the

444 provisions of this chapter as they existed on such date and, if any payment is awarded on  
445 any such claim, such payment shall be made from the general fund of the state treasury.

446 43-6-14.

447 Nothing in this chapter shall prohibit any lawful regulation or licensing of auctioneers by  
448 any municipality, county, or other political subdivision of this state."

449 **SECTION 2-2.**

450 Said title is further amended by repealing in its entirety Chapter 19, relating to geologists,  
451 and enacting a new Chapter 19 to read as follows:

452 "CHAPTER 19

453 43-19-1.

454 This chapter shall be known and may be cited as the 'Georgia Geologists Registration Act.'

455 43-19-2.

456 As used in this chapter, the term:

457 (1) 'Geologist' means a person engaged in the practice of geology.

458 (2) 'Geology' means that science which treats of the earth in general; investigation of the  
459 earth's crust and the rocks and other materials which compose it; and the applied science  
460 of utilizing knowledge of the earth and its constituent rocks, minerals, liquids, gases, and  
461 other materials for the benefit of mankind.

462 (3) 'Public practice of geology' means the performance of geological service or work  
463 such as consultation, investigation, surveys, evaluation, planning, mapping, and  
464 inspection of geological work in which the performance is related to public welfare or  
465 safeguarding of life, health, property, and the environment, except as specifically

466 exempted by this chapter. A person shall be construed to practice publicly or offer to  
467 practice publicly geology, within the meaning and intent of this chapter, who practices  
468 any branch of the profession of geology; or who by verbal claim, sign, advertisement,  
469 letterhead, card, or in any other way represents themselves to be a geologist; or through  
470 the use of some other title implies that he or she is a geologist; or that he or she is  
471 registered under this chapter; or who holds themselves out as able to perform or who does  
472 perform any geological services or work recognized as geology.

473 (4) 'Registration' means registration as a geologist pursuant to this chapter.

474 (5) 'Responsible charge of work' means the independent control and direction, by the use  
475 of initiative, skill, and independent judgment, of geological work or the supervision of  
476 such work.

477 (6) 'Secretary of State' means the Secretary of State of the State of Georgia or his or her  
478 designee.

479 (7) 'State' means a state of the United States, the District of Columbia, Puerto Rico, the  
480 United States Virgin Islands, or any territory or insular possession subject to the  
481 jurisdiction of the United States.

482 (8) 'Subordinate' means any person who assists a registered geologist or a registered  
483 engineer in the practice of geology without assuming the responsible charge of work.

484 43-19-3.

485 By engaging in the public practice of geology in this state, a nonresident individual  
486 appoints the Secretary of State as the individual's agent for service of process in any civil  
487 action in this state related to the individual's public practice of geology in this state.

488 43-19-4.

489 (a) Except as otherwise provided in subsection (b) of this Code section, an individual shall  
490 not engage in the public practice of geology in this state without holding a certificate of  
491 registration under this chapter.

492 (b) The provisions of this chapter shall not apply to any individual who is:

493 (1) Engaged in the practice of any profession or trade for which a license is required  
494 under any other law of this state, including, without limitation, registered professional  
495 engineers lawfully practicing soil mechanics, foundation engineering, and other  
496 professional engineering as provided in this title; or licensed architects lawfully  
497 practicing architecture as provided in this title;

498 (2) Engaged solely in teaching the science of geology or engaged in nonpublic geologic  
499 research in this state;

500 (3) An officer or employee of the United States or this state practicing geology solely as  
501 such officer or employee; and

502 (4) A subordinate to a geologist registered under this chapter, insofar as he or she acts  
503 solely in such capacity. This exemption, however, does not permit any such subordinate  
504 to practice geology for others in his or her own right or use the title 'registered geologist.'

505 43-19-5.

506 An applicant for registration shall submit an application to the Secretary of State in a form  
507 prescribed by the Secretary of State. An application filed under this Code section is a  
508 public record. The application shall be in the name of an individual and state or contain  
509 the following and any other information required by the Secretary of State:

510 (1) The name of the applicant and the address of the applicant's residence and principal  
511 place of business;

512 (2) The name of the applicant's business or employer, if applicable;

- 513 (3) Any business or occupation engaged in by the applicant for the five years next  
514 preceding the date of submission of the application;
- 515 (4) A description of the applicant's:
- 516 (A) Formal training as a geologist;
- 517 (B) Practical experience as a geologist; and
- 518 (C) Educational background relating to the applicant's activities as a geologist;
- 519 (5) The names and addresses of three individuals not related to the applicant who are  
520 willing to serve as references;
- 521 (6) The names and addresses of all persons who are:
- 522 (A) With respect to the geologist's business if it is not a corporation, the partners,  
523 members, officers, managers, associates, or profit sharers of the business; and
- 524 (B) With respect to a corporation employing the geologist, the officers, directors, and  
525 any shareholder of the corporation having an interest of 5 percent or greater;
- 526 (7) Whether the applicant or any person named pursuant to paragraph (6) of this Code  
527 section has been convicted of a crime that, if committed in this state, would be a crime  
528 involving moral turpitude or a felony, and identify the crime;
- 529 (8) Whether there has been any administrative or judicial determination that the applicant  
530 or any person named pursuant to paragraph (6) of this Code section has made a false,  
531 misleading, deceptive, or fraudulent representation;
- 532 (9) Any sanction, suspension, or disciplinary action taken against the applicant or any  
533 person named pursuant to paragraph (6) of this Code section arising out of occupational  
534 or professional conduct; and
- 535 (10) Whether there has been any denial of an application for, suspension or revocation  
536 of, or refusal to renew the registration or licensure of the applicant or any person named  
537 pursuant to paragraph (6) of this Code section as a geologist in any state.

538 43-19-6.

539 (a) Except as otherwise provided in subsection (b) of this Code section, the Secretary of  
540 State shall issue a certificate of registration to an individual who complies with Code  
541 Section 43-19-5.

542 (b) The Secretary of State may refuse to issue a certificate of registration if it is determined  
543 that the applicant has engaged in conduct that has a significant adverse effect on the  
544 applicant's fitness to engage in the public practice of geology. In making the  
545 determination, the Secretary of State may consider whether the applicant has:

546 (1) Been convicted of a crime that, if committed in this state, would be a crime involving  
547 moral turpitude or a felony;

548 (2) Made a material false, misleading, deceptive, or fraudulent representation in the  
549 application or as a geologist;

550 (3) Engaged in conduct prohibited by this chapter;

551 (4) Had a registration or licensure as a geologist suspended, revoked, or denied or been  
552 refused renewal of registration or licensure as a geologist in any state; or

553 (5) Engaged in conduct that significantly adversely reflects on the applicant's credibility,  
554 honesty, or integrity.

555 (c) In making a determination under subsection (b) of this Code section, the Secretary of  
556 State shall consider:

557 (1) How recently the conduct occurred;

558 (2) The nature of the conduct and the context in which it occurred; and

559 (3) Any other relevant conduct of the applicant.

560 (d) The refusal to grant a registration as provided in this Code section shall not be  
561 considered to be a contested case within the meaning of Chapter 13 of Title 50, the  
562 'Georgia Administrative Procedure Act,' and notice and hearing within the meaning of such  
563 chapter shall not be required in connection with such refusal. Notice of refusal to grant a  
564 registration shall be sent by registered mail or statutory overnight delivery or personal

565 service setting forth the particular reasons for the refusal. The written notice shall be sent  
566 to the applicant's address of record with the Secretary of State, and the applicant shall be  
567 allowed to appear before the Secretary of State if the applicant requests to do so in writing.

568 (e) A geologist may apply to renew a registration by submitting an application for renewal  
569 in a form prescribed by the Secretary of State. An application filed under this subsection  
570 is a public record.

571 (f) A certificate of registration or a renewal of a registration shall be valid for a period of  
572 up to two years.

573 43-19-7.

574 (a) The Secretary of State may suspend, revoke, or refuse to renew a registration or may  
575 discipline an individual registered under this chapter for conduct that would have justified  
576 denial of registration under Code Section 43-19-6.

577 (b) The Secretary of State may discipline, suspend, revoke, or refuse to renew a certificate  
578 of registration only after proper notice and an opportunity for a hearing.

579 (c) Except as otherwise provided, the provisions of Chapter 13 of Title 50, the 'Georgia  
580 Administrative Procedure Act,' shall be applicable to the provisions of this chapter and to  
581 the Secretary of State in carrying out the provisions of this chapter.

582 43-19-8.

583 (a) An application for registration or renewal of registration shall be accompanied by such  
584 fee as shall be prescribed by the Secretary of State and a renewal bond, if applicable. The  
585 fee shall be the same for all applicants regardless of previous or current registrations or  
586 licenses in other states or jurisdictions as a geologist.

587 (b) Notwithstanding subsection (a) of Code Section 43-19-4, an individual who was  
588 registered as a geologist in this state on June 30, 2026, shall be permitted to engage in the  
589 public practice of geology under such registration until September 30, 2026, after which



590 such individual shall be required to hold a certificate of registration issued in accordance  
591 with the provisions of this chapter to engage in such public practice of geology; provided,  
592 however, that such individual shall not be required to pay an application fee in connection  
593 with his or her initial application for registration under this chapter if such individual  
594 submits such application on or before September 30, 2026.

595 43-19-9.

596 The Secretary of State may issue a temporary certificate of registration while an application  
597 for registration or renewal of registration is pending, upon receipt by the Secretary of State  
598 of a completed application for registration, surety bond, and fee and after approval by the  
599 Secretary of State. The Secretary of State may in his or her discretion issue a temporary  
600 registration to the applicant, which registration shall have the same force and effect as a  
601 permanent registration for such period of time prescribed by the Secretary of State, after  
602 which the temporary registration shall become void. A temporary registration may be  
603 voided by the Secretary of State at any time.

604 43-19-10.

605 (a) A geologist shall deposit or have deposited with the Secretary of State, prior to the  
606 issuance of a registration or renewal of a registration, a surety bond in the penal sum of not  
607 less than \$10,000.00, as established by the Secretary of State. Such surety bond shall be  
608 executed in the favor of the state with a surety company authorized to do business in this  
609 state and conditioned to pay damages in the amount of such bond to any person aggrieved  
610 by any act of the principal named in such bond, which act would be grounds for revocation  
611 of a registration under this chapter.

612 (b) If any geologist fails to maintain such bond so as to comply with the provisions of this  
613 Code section, the registration issued to the geologist shall be suspended until such time as

614 a new bond is obtained. A geologist whose registration is suspended pursuant to this Code  
615 section shall not engage in the public practice of geology during the period of suspension.

616 43-19-11.

617 Each registrant under this chapter, upon issuance of a certificate of registration, may use  
618 a seal of such design as is authorized by the Secretary of State, bearing the registrant's  
619 name and the legend 'Registered Geologist.' All drawings, reports, or other geologic papers  
620 or documents involving the public practice of geology which have been prepared or  
621 approved by such registrant or a subordinate employee under his or her direction for the  
622 use of or for delivery to any person or for public record within this state shall be signed by  
623 the registrant and impressed with the seal provided for in this Code section, which shall  
624 indicate his or her responsibility for them.

625 43-19-12.

626 (a) It shall be unlawful for any person other than a geologist registered under this chapter  
627 or a subordinate under his or her direction prepare any geologic plans, reports, or  
628 documents in which the performance is related to the public welfare or safeguarding of life,  
629 health, property, or the environment.

630 (b) It shall be unlawful for anyone other than a geologist registered under this chapter to  
631 stamp or seal any plans, plats, reports, or other documents with the seal or stamp of a  
632 registered geologist or to use in any manner the title 'registered geologist' unless registered  
633 under this chapter.

634 (c) It shall be unlawful for any person to affix his or her signature or to stamp or seal any  
635 plans, plats, reports, or other documents after the certificate of registration of the registrant  
636 named thereon has expired or has been suspended or revoked unless the certificate has been  
637 renewed or reissued.

638 43-19-13.

639 The Secretary of State may assess a civil penalty against a geologist not to exceed  
640 \$10,000.00 for a violation of this chapter.

641 43-19-14.

642 Nothing in this chapter shall prohibit any lawful regulation or licensing of geologist by any  
643 municipality, county, or other political subdivision of this state."

644 **SECTION 2-3.**

645 Said title is further amended by repealing in its entirety Chapter 20, relating to hearing aid  
646 dealers and dispensers, and enacting a new Chapter 20 to read as follows:

647 "CHAPTER 20

648 43-20-1.

649 This chapter shall be known and may be cited as the 'Georgia Hearing Aid Dealers and  
650 Dispensers Registration Act.'

651 43-20-2.

652 As used in this chapter, the term:

653 (1) 'Hearing aid dealer' means an individual engaged in the practice of dispensing  
654 hearing aids in this state.

655 (2) 'Hearing aid device or instrument,' 'hearing aid,' or 'aid' means any wearable  
656 electronic instrument or device designed for or represented or offered for the purpose of  
657 compensating for defective human hearing, including parts, attachments, ear molds, and  
658 accessories, except batteries, cords, replacement tubing, and minor service limited to the  
659 removal of battery corrosion.

660 (3) 'Practice of dispensing hearing aids' means the providing of a hearing aid to a  
661 consumer by sale, rental, lease, or otherwise and the conducting of tests and other  
662 procedures to determine suitability for use of a hearing aid, to determine hearing aid  
663 characteristics which properly compensate for the hearing condition, to select suitable  
664 aids, to fit aids to the consumer, and to counsel and instruct in the use thereof.

665 (4) 'Registration' means registration as a hearing aid dealer pursuant to this chapter.

666 (5) 'Secretary of State' means the Secretary of State of the State of Georgia or his or her  
667 designee.

668 (6) 'State' means a state of the United States, the District of Columbia, Puerto Rico, the  
669 United States Virgin Islands, or any territory or insular possession subject to the  
670 jurisdiction of the United States.

671 43-20-3.

672 By acting as a hearing aid dealer in this state, a nonresident individual appoints the  
673 Secretary of State as the individual's agent for service of process in any civil action in this  
674 state related to the individual's practice of dispensing hearing aids.

675 43-20-4.

676 (a) Except as otherwise provided in subsection (b) of this Code section, an individual shall  
677 not engage in the practice of dispensing hearing aids in this state without holding a  
678 certificate of registration under this chapter.

679 (b) The provisions of this chapter shall not apply to any individual:

680 (1) Who is a physician licensed to practice medicine in this state or who is licensed as  
681 an audiologist under Chapter 44 of this title;

682 (2) Who is licensed under any other law of this state and operating within the scope of  
683 such license, provided that such individual does not engage in the sale, rental, or lease of  
684 hearing aids;

- 685 (3) Working as an employee of a federal, state, county, or municipal agency or a duly  
686 chartered educational institution or a training center, provided that such individual does  
687 not engage in the sale, rental, or lease of hearing aids; or  
688 (4) Who is working under the direct supervision of a hearing aid dealer who holds a  
689 certificate of registration.

690 43-20-5.

691 An applicant for registration shall submit an application to the Secretary of State in a form  
692 prescribed by the Secretary of State. An application filed under this Code section is a  
693 public record. The application shall be in the name of an individual and state or contain  
694 the following and any other information required by the Secretary of State:

- 695 (1) The name of the applicant and the address of the applicant's residence and principal  
696 place of business;  
697 (2) The name of the applicant's business or employer, if applicable;  
698 (3) Any business or occupation engaged in by the applicant for the five years next  
699 preceding the date of submission of the application;  
700 (4) A description of the applicant's:  
701 (A) Formal training as a hearing aid dealer;  
702 (B) Practical experience as a hearing aid dealer; and  
703 (C) Educational background relating to the applicant's activities as a hearing aid dealer;  
704 (5) The names and addresses of three individuals not related to the applicant who are  
705 willing to serve as references;  
706 (6) The names and addresses of all persons who are:  
707 (A) With respect to the hearing aid dealer's business if it is not a corporation, the  
708 partners, members, officers, managers, associates, or profit sharers of the business; and

709 (B) With respect to a corporation employing the hearing aid dealer, the officers,  
710 directors, and any shareholder of the corporation having an interest of 5 percent or  
711 greater;

712 (7) Whether the applicant or any person named pursuant to paragraph (6) of this Code  
713 section has been convicted of a crime that, if committed in this state, would be a crime  
714 involving moral turpitude or a felony, and identify the crime;

715 (8) Whether there has been any administrative or judicial determination that the applicant  
716 or any person named pursuant to paragraph (6) of this Code section has made a false,  
717 misleading, deceptive, or fraudulent representation;

718 (9) Any sanction, suspension, or disciplinary action taken against the applicant or any  
719 person named pursuant to paragraph (6) of this Code section arising out of occupational  
720 or professional conduct; and

721 (10) Whether there has been any denial of an application for, suspension or revocation  
722 of, or refusal to renew the registration or licensure of the applicant or any person named  
723 pursuant to paragraph (6) of this Code section as a hearing aid dealer in any state.

724 43-20-6.

725 (a) Except as otherwise provided in subsection (b) of this Code section, the Secretary of  
726 State shall issue a certificate of registration to an individual who complies with Code  
727 Section 43-20-5.

728 (b) The Secretary of State may refuse to issue a certificate of registration if it is determined  
729 that the applicant has engaged in conduct that has a significant adverse effect on the  
730 applicant's fitness to act as a hearing aid dealer. In making the determination, the Secretary  
731 of State may consider whether the applicant has:

732 (1) Been convicted of a crime that, if committed in this state, would be a crime involving  
733 moral turpitude or a felony;

- 734 (2) Made a material false, misleading, deceptive, or fraudulent representation in the  
735 application or as a hearing aid dealer;
- 736 (3) Engaged in conduct prohibited by this chapter;
- 737 (4) Had a registration or licensure as a hearing aid dealer suspended, revoked, or denied  
738 or been refused renewal of registration or licensure as a hearing aid dealer in any state;  
739 or
- 740 (5) Engaged in conduct that significantly adversely reflects on the applicant's credibility,  
741 honesty, or integrity.
- 742 (c) In making a determination under subsection (b) of this Code section, the Secretary of  
743 State shall consider:
- 744 (1) How recently the conduct occurred;
- 745 (2) The nature of the conduct and the context in which it occurred; and
- 746 (3) Any other relevant conduct of the applicant.
- 747 (d) The refusal to grant a registration as provided in this Code section shall not be  
748 considered to be a contested case within the meaning of Chapter 13 of Title 50, the  
749 'Georgia Administrative Procedure Act,' and notice and hearing within the meaning of such  
750 chapter shall not be required in connection with such refusal. Notice of refusal to grant a  
751 registration shall be sent by registered mail or statutory overnight delivery or personal  
752 service setting forth the particular reasons for the refusal. The written notice shall be sent  
753 to the applicant's address of record with the Secretary of State, and the applicant shall be  
754 allowed to appear before the Secretary of State if the applicant requests to do so in writing.
- 755 (e) A hearing aid dealer may apply to renew a registration by submitting an application for  
756 renewal in a form prescribed by the Secretary of State. An application filed under this  
757 subsection is a public record.
- 758 (f) A certificate of registration or a renewal of a registration shall be valid for a period of  
759 up to two years.

760 43-20-7.

761 (a) The Secretary of State may suspend, revoke, or refuse to renew a registration or may  
762 discipline an individual registered under this chapter for conduct that would have justified  
763 denial of registration under Code Section 43-20-6.

764 (b) The Secretary of State may discipline, suspend, revoke, or refuse to renew a certificate  
765 of registration only after proper notice and an opportunity for a hearing.

766 (c) Except as otherwise provided, the provisions of Chapter 13 of Title 50, the 'Georgia  
767 Administrative Procedure Act,' shall be applicable to the provisions of this chapter and to  
768 the Secretary of State in carrying out the provisions of this chapter.

769 43-20-8.

770 (a) An application for registration or renewal of registration shall be accompanied by such  
771 fee as shall be prescribed by the Secretary of State and a renewal bond, if applicable. The  
772 fee shall be the same for all applicants regardless of previous or current registrations or  
773 licenses in other states or jurisdictions as a hearing aid dealer.

774 (b) Notwithstanding subsection (a) of Code Section 43-20-4, an individual who was  
775 licensed as a hearing aid dealer in this state on June 30, 2026, shall be permitted to engage  
776 in the practice of dispensing hearing aids under such license until September 30, 2026, after  
777 which such individual shall be required to hold a certificate of registration issued in  
778 accordance with the provisions of this chapter to engage in such practice of dispensing  
779 hearing aids; provided, however, that such individual shall not be required to pay an  
780 application fee in connection with his or her initial application for registration under this  
781 chapter if such individual submits such application on or before September 30, 2026.

782 43-20-9.

783 The Secretary of State may issue a temporary certificate of registration while an application  
784 for registration or renewal of registration is pending, upon receipt by the Secretary of State



785 of a completed application for registration, surety bond, and fee and after approval by the  
786 Secretary of State. The Secretary of State may in his or her discretion issue a temporary  
787 registration to the applicant, which registration shall have the same force and effect as a  
788 permanent registration for such period of time prescribed by the Secretary of State, after  
789 which the temporary registration shall become void. A temporary registration may be  
790 voided by the Secretary of State at any time.

791 43-20-10.

792 (a) A hearing aid dealer shall deposit or have deposited with the Secretary of State, prior  
793 to the issuance of a registration or renewal of a registration, a surety bond in the penal sum  
794 of not less than \$10,000.00, as established by the Secretary of State. Such surety bond  
795 shall be executed in the favor of the state with a surety company authorized to do business  
796 in this state and conditioned to pay damages in the amount of such bond to any person  
797 aggrieved by any act of the principal named in such bond, which act is in violation of Code  
798 Section 43-20-11 or would be grounds for revocation of a registration under this chapter.

799 (b) If any hearing aid dealer fails to maintain such bond so as to comply with the  
800 provisions of this Code section, the registration issued to the hearing aid dealer shall be  
801 suspended until such time as a new bond is obtained. A hearing aid dealer whose  
802 registration is suspended pursuant to this Code section shall not engage in the practice of  
803 dispensing hearing aids during the period of suspension.

804 43-20-11.

805 A hearing aid dealer shall not, in connection with the practice of dispensing hearing aids:

806 (1) Engage in fraud or make any substantial misrepresentation;

807 (2) Use, or cause or promote the use of, any advertising material, promotional literature,  
808 testimonial, guarantee, warranty, label, brand, insignia, or any other representation,  
809 however disseminated or published, which is misleading, deceptive, or untruthful;

- 810 (3) Advertise a particular model or type of hearing aid for sale when purchasers or  
811 prospective purchasers responding to the advertisement cannot purchase the advertised  
812 model or type and where it is determined that the purchase of the advertisement is to  
813 obtain prospects for the sale of a different model or type than that advertised; or  
814 (4) Represent that the services or advice of a licensed physician or an audiologist will be  
815 used or made available in the selection, adjustment, maintenance, or repair of hearing aids  
816 when that is not true or use the words 'hearing center,' 'doctor,' 'ear specialist,' 'clinic,'  
817 'clinical audiologists,' 'state licensed clinic,' 'state registered,' 'state certified,' 'state  
818 approved,' or any other term, abbreviation, or symbol when it would falsely give the  
819 impression that one is being treated medically or that the hearing aid dealer's services  
820 have been recommended by the state.  
821 (5) Represent or imply that a hearing aid device or instrument is or will be 'custom  
822 made,' 'made to order,' 'prescription made,' or in any other sense specially fabricated for  
823 an individual person when such is not the case;  
824 (6) Represent that a recommendation for a specific brand or model aid or source of  
825 product or service has resulted from an unbiased or impartial process when such is not  
826 the case;  
827 (7) Advertise a manufacturer's product or use a manufacturer's name or trademark which  
828 implies a relationship with the manufacturer that does not exist;  
829 (8) Give or receive, directly or indirectly, or offer to give or receive money or anything  
830 of value to any person who advises another in a professional capacity as an inducement  
831 to influence or have such person influence others to purchase or contract to purchase any  
832 product sold or offered for sale by the hearing aid dealer or to influence persons to refrain  
833 from dealing in the products of competitors; or  
834 (9) Select or fit a hearing aid for a person who has not been given the appropriate tests  
835 utilizing procedures and instrumentation as specified by this chapter or by the rules and  
836 regulations of the Secretary of State.

837 43-20-12.

838 The Secretary of State may assess a civil penalty against a hearing aid dealer not to exceed  
839 \$10,000.00 for a violation of this chapter.

840 43-20-13.

841 Nothing in this chapter shall prohibit any lawful regulation or licensing of hearing aid  
842 dealers by any municipality, county, or other political subdivision of this state."

843 **PART III**

844 **SECTION 3-1.**

845 Title 43 of the Office Code of Georgia Annotated, relating to professions and businesses,  
846 is amended in Code Section 43-47-10, relating to investigations of licensees by board,  
847 suspension or revocation of license, and other sanctions, by revising division (iii) of  
848 subparagraph (P) of paragraph (1) as follows:

849 "(iii) A violation of this subparagraph shall also be grounds for suspension or censure  
850 of a ~~license under Code Section 43-6-18~~ certificate of registration issued under  
851 Chapter 6 of this title, and any auction violating this subparagraph may be required  
852 by the board to surrender its master tag;"

853 **SECTION 3-2.**

854 Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended  
855 in Code Section 49-4-159, relating to medicaid coverage for lactation and postpartum care,  
856 by revising subsection (a) as follows:

857 "(a) The department shall provide Medicaid coverage for:

858 (1) Lactation care and services, ~~as defined in paragraph (5) of Code Section 43-22A-3,~~  
859 to pregnant and lactating women and to children who are breastfeeding or receiving their  
860 mother's milk; and

861 (2) Postpartum care for mothers for a period of one year following the date the  
862 pregnancy ends."

863 **PART IV**

864 **SECTION 4-1.**

865 This Act shall become effective on July 1, 2026.

866 **SECTION 4-2.**

867 All laws and parts of laws in conflict with this Act are repealed.