



NewsLine

The Official Publication of the Tennessee Auctioneer Commission

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Commissioners

	Term Expiration
John Thorpe, Chairman Middle Tennessee	12/31/20
Randy Lowe, Vice Chair East Tennessee	08/31/21
Consumer Member	Vacant
Jeff Morris West Tennessee	08/31/20
Kimball Sterling At-Large	08/31/22

Mission Statement

The Mission of the Tennessee Auctioneer Commission is to protect the public through the establishment and administration of minimum requirements for candidates and licensees, effective professional education of licensees, and enforcement of professional conduct.

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www.tn.gov/commerce/regboards/auctioneers

Important Tax Filing & Payment Notices COVID-19 Relief from the Tennessee Department of Revenue

Tennessee Department of Revenue Notice #20-05

On March 20, 2020, the Internal Revenue Service issued Notice 2020-18, which provides an income tax filing extension. Under Tennessee law, the Commissioner is authorized to extend the deadline for filing a Franchise & Excise Tax return when the IRS extends a federal filing date.

The Tennessee Department of Revenue has extended the due date for filing and paying franchise and excise tax from April 15, 2020 to July 15, 2020.

Taxpayers will have until July 15, 2020, to file returns and make any payments (including quarterly estimated payments) originally due on April 15, 2020.

Interest and late filing penalties will not be applied to returns filed and payments made on or before this extended due date.

This notice applies to franchise and excise tax only. Ref. Tenn. Code Ann. §67-1-114.

Tennessee Department of Revenue Notice #20-07

The Tennessee Department of Revenue has extended the due date for filing and paying the Business Tax from April 15, 2020 to June 15, 2020.

The Business Tax is a tax on gross receipts that applies to most businesses selling goods or services. Taxpayers will have until June 15, 2020 to file returns and make payments originally due on April 15, 2020.

Interest and late filing penalties will not be applied to returns filed and payments made on or before the extended due date.

This notice applies only to state and local business tax imposed under Tenn. Code Ann., title 67, chapter 4, part 7 and applies to returns and payments due on April 15, 2020. Ref. Tenn. Code Ann. §67-1-114; title 67, chapter 4, part 7.

For more information, visit www.tn.gov/revenue. Click on Revenue Help to search for answers or to submit an information request to one of our agents.

The Tennessee Department of Commerce & Insurance is committed to the principles of equal opportunity, equal access and affirmative action. Contact the EEO Coordinator or ADA Coordinator 615-741-2177 (TDD).

Commission Report

The Tennessee Auctioneer Commission (TAC) met on February 24, 2020. At this meeting, Commissioner John Thorpe was re-elected as Commission Chairman and Commissioner Jeff Morris was elected to represent the Commission at the 2020 National Auctioneers Association (NAA) Virtual Conference and Show where he will also represent the Commission at the annual meeting of the National Auctioneer License Law Officials Association (NALLOA).

NALLOA serves as a forum of licensing board members and associate members to communicate, endorse reciprocity, and promote the common good in regulating the auction profession. Commissioner Morris is the current President of the NALLOA Board of Directors.

A big thanks to TAC Assistant Director Glenn Kopchak along with Anna Matlock, Associate General Counsel for the Commission and Administrative Assistant Robert “Bob” Hunter, for taking the time to attend the March 2020 Continuing Education Seminar at Center Hill Lake. They were able to offer some clarification on the value of the CORE accounts for licensees and address questions from the attendees regarding aspects of law and rule changes. Please keep in mind, the Commission is required to operate within the laws and the rules as they are written, and cannot provide legal or business advice to licensees. It is recommended licensees seek the advice of their professional auctioneers association and/or outside legal counsel for guidance on their specific legal compliance concerns.

SCORE and the Small Business Administration

During the 2020 COVID-19 pandemic, the Small Business Administration (SBA) has served as the clearinghouse for federally guaranteed emergency funding programs for small businesses across the United States. Even though the SBA is best known for their various lending programs, they offer a wealth of resources for small business during all stages of business development and growth. Their website, sba.gov not only provides updates on COVID-19 business resources, but also valuable guides and tools for start-ups, managing existing business, and becoming federal contractors.

As many auctioneers and auction businesses find themselves facing times of economic insecurity and the need to re-evaluate their business model and/or business practices, the SBA is ready to assist in working through these unprecedented and challenging times.

One of the many valuable resources the SBA offers is through their SCORE resource partnership. Since 1964, SCORE has offered free business mentoring and education. Over the decades, they have assisted over eleven million entrepreneurs and small businesses start, manage, grow, or redefine their businesses.

SCORE relies on volunteer business professionals, both working and retired, to mentor and collaborate with small business owners through one-on-one relationships, electronic forums, workshops, blogs, webinars, and local chapters. The SCORE website at score.org provides a valuable free library of resources including The Corona Virus Small Business Resource Hub. There are extensive library blogs covering many different aspects of COVID-19 on small business, from working remotely to steps to take if you cannot pay your bills. Additional topics include a study on angel investors, digital marketing trends, mastering work-life balance, and so much more. On the site, you can also find an area chapter, access real-time mentor webinars, find a one-on-one mentor to work with, or volunteer to become a mentor. The SCORE offers over 1500 entries ranging from blogs, checklists, templates, podcasts, data reports, articles and more that are searchable by Business Stage (new or existing), Topic, Format, Entrepreneur Type, and Industry. While there are no entries specific to auctioneers, there are a broad selection of entries that apply to all small business with over sixteen specific entries related to service and real estate businesses.

Uncertain times are the best times to take advantage of both your SBA and the non-profit SCORE resources.

*To receive email or text alerts from the Tennessee Auctioneer Commission
go to the direct link at www.tn.gov/notify-app/sign_up*

Rules Update

On February 24, 2020, The Tennessee Auctioneer Commission approved the proposed rules that were drafted in response to the law changes made with the passage of Public Chapter 471 and signed into law on May 24, 2019 by Governor Bill Lee. The statute changes were passed as a result of the findings from the Auctioneer Law Modernization Task Force that was formed in 2018 by the Tennessee General Assembly.

The approved rule changes were filed with the Tennessee Secretary of State on April 13, 2020 and will become effective on July 12, 2020. The proposed rules made amendments to two (2) different chapters and a total of twenty (20) different rules. The majority of the rules update the new language provided in the Public Chapter, including the updated titles of affiliate auctioneer and principal auctioneer. The rules also clarify the requirements for licensure, escrow account requirements, continuing education, qualifying education, as well as, standards and regulations for auctioneers. The rules also include a new fee for bid caller licensees and remove the fee for pocket card licenses.

Following is a brief summary of the major rule changes:

0160-01-.05 Publication of Name. (1) All advertising of an auction sale must be made in the name and license number of the licensee who shall bear responsibility of the sale to the seller, general public and auctioneer commission.

0160-01-.12 Affiliates - Sponsors - Supervision. The requirement for sponsoring auctioneers to reside within the same state as their affiliate auctioneers was removed at an emergency meeting of the Commission on March 16, 2020 per guidance received from the Office of the Attorney General.

0160-01-.22 Late Renewal of License. (5) A licensee delinquent in the renewal of a license for one (1) year or more shall reapply for licensure and satisfy all requirements for obtaining such license, including but not limited to re-examination and re-application.

0160-01-.26 Escrow Account Requirement. (1) All principal and public automobile auctioneers shall maintain or have written authorization from a principal or public automobile auctioneer granting access to an escrow or trustee account for all funds that belong to others coming into the possession as a result of an auction sale. (2) All principal or public automobile auctioneers shall be responsible for all funds deposited into an escrow or trustee account.

0160-03-.03 Basic Requirements. (2) ...Licensees shall also personally maintain proof of completion of each continuing education course for two (2) renewal cycles.

Licensees are encouraged to review the rules online at:

https://publications.tnsosfiles.com/rules_filings/04-19-20.pdf

Reminder

From the Tennessee Apiary Act 1995

44-15-108. Sale or movement of bees.

(a) No bees may be sold, offered for sale, moved, or transported, shipped or delivered within the state, unless they have been inspected by an appropriate official of the state and certified to be apparently free of infectious or contagious regulated bee diseases and pests in accordance with rules and regulations promulgated under this chapter.

44-15-112. Used beekeeping equipment.

No person shall sell or give to any other person any used beekeeping equipment until the equipment has been sanitized by a method approved by the state apiarist. This requirement will not apply to equipment that is occupied by live bees.

See: <https://www.tn.gov/agriculture/businesses/bees/>



Tennessee Department of Commerce & Insurance Authorization No. 335195, Revised 12/18/18. This public document was promulgated for electronic use only.

Commission Calendar

2020 Commission Meetings

Meetings are held at 9:00 a.m.

at 500 James Robertson Parkway Nashville, TN 37243

or REMOTE with connecting information at

<https://www.tn.gov/commerce/regboards/auctioneers/public-meeting-information.html>

August 17, 2020

November 16, 2020

Upcoming Continuing Education Seminars:

West TN Wednesday, June 24, 2020 9:00 a.m. A Livestream Webinar

Register: <https://www.tn.gov/commerce/regboards/auctioneers.html> OR <https://www.learn2oauction.com/tac-ce-seminars>

"Estate & Financial Planning for Small Business Owners & Independent Contractors" by Aaron J. Carmack, Financial Advisor

"Unleashing Your Inner Champion" and "Inside the World of Equipment Auctions" by Dustin Rogers, 2017 IAC Champion Auctioneer

East TN Monday, September 14, 2020 (tentative) Location TBD

"Auctioneering in an Uncertain World" by Michael L. DeLisle, Attorney at Law

"Insurance for Auctioneers" by Marshall Fason, CIC