

**NOTICE OF INTENT TO ADOPT NEW RULES TO THE STATE
LICENSING BOARD FOR RESIDENTIAL AND GENERAL
CONTRACTORS, CHAPTER 553-12 LICENSE RENEWAL AND
CONTINUING EDUCATION, RULE 553-12-.05 LICENSE RENEWAL-
GENERAL CONTRACTOR LIMITED TIER AND GENERAL CONTRACTOR
UNLIMITED
AND NOTICE OF PUBLIC HEARING.**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the State Licensing Board for Residential and General Contractors, (hereinafter "Board") proposes to adopt a rule for the State Licensing Board for Residential and General Contractors, Rule 553-12-.05 *License Renewal-General Contractor Limited Tier and General Contractor Unlimited*(hereinafter "proposed new rule").

This notice, together with an exact copy of the proposed new rule and a synopsis of the proposed new rule, is being distributed to all persons who have requested, in writing, that they be placed on a distribution list. A copy of this notice, an exact copy of the proposed new rule, and a synopsis of the proposed new rule may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Board's web page at www.sos.ga.gov/plb/contractors. Copies may also be requested by contacting the Board's office at 478-207-2440.

A public hearing is scheduled to begin at 9:00 a.m. on December 2, 2009 at the Professional Licensing Boards Division, 237 Coliseum Dr., Macon, GA 31217 to provide the public an opportunity to comment upon and provide input into the proposed new rule. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. To ensure their consideration, written comments must be received on or before November 25, 2009. Written comments should be addressed to Randall D. Vaughn, Division Director, Secretary of State, Professional Licensing Boards Division, State Licensing Board for Residential and General Contractors, 237 Coliseum Drive, Macon, Georgia 31217. FAX: 478-314-5805.

The proposed new rule will be considered for adoption by the Board at its meeting scheduled to begin at 9:05 a.m. on December 2, 2009, at the Professional Licensing Boards Division, 237 Coliseum Dr., Macon, GA 31217. According to the Department of Law, State of Georgia, the State Licensing Board for Residential and General Contractors has the authority to add this new rule pursuant to authority contained in O.C.G.A §§ 43-1-19, 43-41-5, 43-41-6, and 43-41-9 and 8 U.S.C.A. § 1621.

At its meeting on October 19, 2009, the Board voted that the formulation and adoption of this new rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A §§ 43-1-19, 43-41-5, 43-41-6, and 43-41-9 and 8 U.S.C.A. § 1621.

Also, at its meeting on October 19, 2009 the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A §§ 43-1-19, 43-41-5, 43-41-6, and 43-41-9 and 8 U.S.C.A. § 1621 to adopt or implement differing actions for businesses as listed at O.C.G.A. §50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of this rule will impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominant in the field of residential and general contracting.

For further information, contact the Board office at 478-207-2440.

This notice is given in compliance with O.C.G.A. §50-13-4.

This 22nd day of October, 2009.

Randall D. Vaughn
Division Director
Professional Licensing Boards

**SYNOPSIS OF THE PROPOSED RULE OF
THE STATE LICENSING BOARD FOR RESIDENTIAL AND GENERAL
CONTRACTORS
RULE 553-12-.05 LICENSE RENEWAL-GENERAL CONTRACTOR LIMITED TIER AND
GENERAL CONTRACTOR UNLIMITED**

Purpose: To establish renewal requirements and guidelines for General Contractors-Limited Tier and General Contractor Unlimited.

Main Features: Dates for renewal, late renewal, and reinstatement.

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

553-12-.05 License Renewal – General Contractor Limited Tier and General Contractor Unlimited

(1) An application for renewal of a license, via mail or online, must be accompanied by a renewal fee as set by the Board.

(2) The biennial renewal fee, set by the Board, is due and payable by June 30 of even numbered years. Any continuing education hours acquired to renew that license during the penalty period may not be used again during the next renewal cycle.

(3) A penalty fee as determined by the Board shall be applicable to any applicant renewing his or her license after June 30 and through December 31 of the renewal period. Failure to renew a license by December 31 shall have the same effect as a revocation of said license. Reinstatement of a license shall be at the discretion of the Board, which may require that a completed application for licensure, including all applicable fees and other required information be submitted as if it was a new application. At the discretion of the Board, an applicant for reinstatement of a license may be required to successfully pass an examination.

(4) An applicant for renewal of a license, via mail or online, must answer questions relating to his or her or company's insurance and financial state along with other questions pertaining to any applicable laws.

(5) A licensee must produce, upon request of the Board, documents to support any or all of the sworn statements or affirmations made on a renewal application.

Authority: O.C.G.A §§ 43-1-19, 43-41-5, 43-41-6, and 43-41-9 and 8 U.S.C.A. § 1621.