

**NOTICE OF INTENT TO ADOPT AMENDMENTS TO THE STATE
LICENSING BOARD FOR RESIDENTIAL AND GENERAL
CONTRACTORS, CHAPTER 553-4 QUALIFICATIONS FOR LICENSURE-
GENERAL CONTRACTOR DIVISION, RULE 553-4-.05 LICENSURE
REQUIREMENTS FOR AN INDIVIDUAL TO PRACTICE AS A GENERAL
CONTRACTOR IN THE INDIVIDUAL'S OWN NAME OR DOING
BUSINESS AS AN INDIVIDUAL IN A TRADE NAME OR AS A SOLE
PROPRIETORSHIP-GENERAL CONTRACTOR LIMITED TIER
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 amend a rule for the State Licensing Board for Residential and General Contractors, Rule 553-4-.05 *Licensure Requirements for an Individual to Practice as a General Contractor in the Individual's Own Name or Doing Business as an Individual in a Trade Name or as a Sole Proprietorship – General Contractor Limited Tier* (hereinafter "proposed amendment").

This notice, together with an exact copy of the proposed amendment and a synopsis of the proposed amendment, 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 amendment, and a synopsis of the proposed amendment 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 amendment. 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 amendment 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 amend this new rule pursuant to authority contained in O.C.G.A §§ 43-41-5, 43-41-6, 43-41-8, 43-41-9 and 43-41-17.

At its meeting on September 21, 2009, the Board voted that the formulation and adoption of this amendment 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 §§ 43-41-5, 43-41-6, 43-41-8, 43-41-9 and 43-41-17.

Also, at its meeting on September 21, 2009 the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A §§ 43-41-5, 43-41-6, 43-41-8, 43-41-9 and 43-41-17 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 AMENDED RULE OF
THE STATE LICENSING BOARD FOR RESIDENTIAL AND GENERAL
CONTRACTORS**

**RULE 553-4-.05 LICENSURE REQUIREMENTS FOR AN INDIVIDUAL TO PRACTICE
AS A GENERAL CONTRACTOR IN THE INDIVIDUAL'S OWN NAME OR DOING
BUSINESS AS AN INDIVIDUAL IN A TRADE NAME OR AS A SOLE
PROPRIETORSHIP-GENERAL CONTRACTOR LIMITED TIER.**

Purpose: To eliminate the requirement of a line of credit.

Main Features: Requirements for licensure.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED
AMENDMENTS TO THE STATE LICENSING BOARD FOR RESIDENTIAL AND
GENERAL CONTRACTORS**

**RULE 553-4-.05 LICENSURE REQUIREMENTS FOR AN INDIVIDUAL TO PRACTICE
AS A GENERAL CONTRACTOR IN THE INDIVIDUAL'S OWN NAME OR DOING
BUSINESS AS AN INDIVIDUAL IN A TRADE NAME OR AS A SOLE
PROPRIETORSHIP-GENERAL CONTRACTOR LIMITED TIER.**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

553-4-.05 Licensure Requirements for an Individual to Practice as a General Contractor in the Individual's Own Name or Doing Business as an Individual in a Trade Name or as a Sole Proprietorship – General Contractor Limited Tier.

(3) A person shall be eligible for licensure as a general contractor limited tier by the general contractor division if the person:

(d) In order to satisfactorily prove (a), (b) and (c) above, each applicant must swear on the application for licensure that the applicant satisfies each requirement and submit satisfactory proof of such when directed to do so by the application. Applicants seeking to engage in limited tier general contracting shall affirm a minimum net worth in the amount of \$25,000. ~~To satisfactorily show "financial responsibility" as mentioned in (3)(b) above, as well as minimum net worth, applicants shall provide a line of credit form in the amount not less than \$25,000.~~ Additionally, in completing the application and submitting it to the general contractor division, the applicant consents to the division performing a background check, including a criminal history, on the applicant if the division so chooses.

Authority: O.C.G.A §§ 43-41-5, 43-41-6, 43-41-8, 43-41-9 and 43-41-17.