



Public Service Commission

State of North Dakota

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PLEASE READ CAREFULLY **AUCTION LICENSING PROGRAM CHANGES**

June 5, 2023

The Public Service Commission Staff is providing this notice to make you aware of some significant changes to the Auctioneer and Auction Clerk Licensing Laws which will affect you directly.

During the 68th Legislative Assembly, House Bill No. 1191 amended North Dakota Century Code Chapter 51-05.1 which deals with the licensing of auctioneers and auction clerks. We have summarized the major changes below; however, as a professional, you are expected to keep current on the Laws and Rules which govern your profession. The full text of House Bill No. 1191 is available at the web address below:

<https://www.ndlegis.gov/assembly/68-2023/regular/documents/23-0560-04000.pdf>

ALL CHANGES TAKE EFFECT: JANUARY 1, 2024.

Effective January 1, 2024, you will no longer be licensed by the Public Service Commission as an auctioneer or auction clerk, and a bond will no longer be required for licensure.

Please note:

- **You must maintain a VALID bond until January 1, 2024.**
- The bond on file with the Public Service Commission will be maintained at the Commission's office for a period of six years from the date of cancellation and will not be returned to you.

STEPS TO TAKE TO PRACTICE AUCTIONEERING AND/OR AUCTION CLERKING IN NORTH DAKOTA BEGINNING ON JANUARY 1, 2024:

- You must register as a business with the Office of the Secretary of State no later than January 1, 2024, to remain in compliance with North Dakota law (N.D.C.C. Chapter 51-05.1).

- The Office of the Secretary of State recommends consulting with an attorney or business advisor for specific advice on what type of business (such as sole-proprietor, corporation, limited liability company, etc.) is right for you.
- An overview of the various types of business structures may be found by visiting: <https://sos.nd.gov/business/business-services/business-structures>.
- To register, visit <https://firststop.sos.nd.gov/> and under the Business menu click on **Start a business** and answer the questions.
 - If registering as a sole proprietor, you will be asked to register a trade name in the last step of registration. Click the **Trade Name Registration** link to create a ND Login to complete this process.

For questions about registering as a business, contact the Secretary of State's Business Services Division at 701-328-2900.

It has been our privilege to work with the auction industry and thank you for your cooperation and support during this transition.

If you are still interested in applying for an auctioneer or auction clerk license for the 2023 licensing year ending December 31, 2023, please click on the following link:

<https://apps.psc.nd.gov/webapps/lars/login>