

## **BILL ANALYSIS**

Senate Research Center

S.B. 1245  
By: Brown  
State Affairs  
3/24/1999  
As Filed

### **DIGEST**

Currently, Texas law requires prospective auctioneers to pass a test that covers the Texas Auctioneers License Act and the Texas Department of Licensing and Regulation Rules regarding auctioneers. There are more than 100 state and federal rules and regulations covering items that auctioneers sell on a regular basis. Several thousands of dollars have been collected from auctioneers for failing to adhere to the law regarding auctioneers. Also, auctioneers may have control of a client's lifetime savings through business or personal assets, and are not required to have the education to keep abreast of changing laws and rules to prevent legal problems and protect consumers. This bill would require a prospective auctioneer to meet certain education and background requirements to be considered eligible to receive an auctioneer's license.

### **PURPOSE**

As proposed, S.B. 1245 sets forth requirements for eligibility to receive an auctioneer's license.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 3(b), Article 8700, V.T.C.S., to provide that a person who has obtained a high school diploma or equivalency certificate, has not been convicted of a felony or certain misdemeanors in five years prior to the date of the license application, has completed at least 80 hours of education in the field of auctioneering in a certain program, and shows proof of employment by a licensed auctioneer for a period of two years, rather than one, during which the applicant participated in at least 10, rather than five, auctions, is eligible for an auctioneer's license. Makes conforming changes.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.