

By: Ashby, Clardy, King of Hemphill

H.B. No. 2494

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the licensing and regulation of associate auctioneers;
3 amending provisions subject to a criminal penalty; requiring an
4 occupational license.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 1802.001, Occupations Code, is amended
7 by adding Subdivision (2) to read as follows:

8 (2) "Associate auctioneer" means an individual who,
9 for compensation, is employed by and under the direct supervision
10 of a licensed auctioneer to sell or offer to sell property at an
11 auction.

12 SECTION 2. Section 1802.051(a), Occupations Code, is
13 amended to read as follows:

14 (a) A person may not act as an auctioneer or associate
15 auctioneer of real or personal property in this state unless the
16 person holds a license issued by the executive director under this
17 chapter.

18 SECTION 3. Subchapter B, Chapter 1802, Occupations Code, is
19 amended by adding Section 1802.053 to read as follows:

20 Sec. 1802.053. ELIGIBILITY FOR ASSOCIATE AUCTIONEER
21 LICENSE. An individual is eligible for an associate auctioneer
22 license if the individual is:

23 (1) a citizen of the United States or a legal alien;
24 and

1 (2) employed under the direct supervision of an
2 auctioneer licensed under this chapter.

3 SECTION 4. Not later than March 1, 2016, the Texas
4 Commission of Licensing and Regulation shall adopt rules necessary
5 to implement the changes in law made by this Act.

6 SECTION 5. (a) Notwithstanding Chapter 1802, Occupations
7 Code, as amended by this Act, a person is not required to hold a
8 license under that chapter to act as an associate auctioneer until
9 March 1, 2016.

10 (b) An individual who was licensed by the Texas Department
11 of Licensing and Regulation as an associate auctioneer on or before
12 June 14, 2013, may apply the individual's work experience
13 participating in auctions as an associate auctioneer on or before
14 June 14, 2013, toward the individual's eligibility for an
15 auctioneer's license under Chapter 1802, Occupations Code.

16 SECTION 6. This Act takes effect September 1, 2015.