

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Smith

H.B. No. 2481

A BILL TO BE ENTITLED

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

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

6 SECTION 1. Section 1802.001, Occupations Code, is amended  
7 by amending Subdivisions (1), (5), and (10) and adding Subdivision  
8 (2) to read as follows:

9 (1) "Advisory board" means the Auctioneer [~~Education~~]  
10 Advisory Board.

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

15 (5) "Auctioneer" means any individual [~~person~~] who [~~+~~  
16 [~~(A)~~] sells or offers to sell property of another  
17 person by live bid at auction, with or without receiving  
18 consideration[~~, or~~

19 [~~(B) solicits, negotiates, or executes an~~  
20 ~~auction listing contract~~].

21 (10) "Personal property" means any property other than  
22 real property[~~, including all tangible and intangible types of~~  
23 ~~property~~].

24 SECTION 2. Section 1802.002(a), Occupations Code, is

1 amended to read as follows:

2 (a) This chapter does not apply to:

3 (1) a sale conducted by order of a United States court  
4 under Title 11, United States Code;

5 (2) a sale conducted by an employee of the United  
6 States, this state, or a political subdivision of this state in the  
7 course and scope of employment;

8 (3) a sale conducted by a charitable, religious, or  
9 civic organization, including an organization having a tax exempt  
10 status under Section 501(c), Internal Revenue Code of 1986, or  
11 organized as a nonprofit entity, if the person organizing,  
12 arranging, or conducting the auction receives no compensation;

13 ~~(4) [a sale conducted by any person of the person's~~  
14 ~~property if the person is not engaged in the business of selling~~  
15 ~~property at auction on a recurring basis;~~

16 ~~[(5)]~~ a foreclosure sale of real property personally  
17 conducted by a trustee under a deed of trust;

18 (5) ~~[(6)]~~ a foreclosure sale of personal property  
19 personally conducted by:

20 (A) a person who holds a security interest in the  
21 property, including a mortgage; or

22 (B) an employee or agent of a person described by  
23 Paragraph (A) acting in the course and scope of employment, if:

24 (i) the employee or agent is not otherwise  
25 engaged in the auction business; and

26 (ii) all property for sale in the auction is  
27 subject to a security agreement;

1           (6) [~~(7)~~] a sale conducted by sealed bid without the  
2 option of increasing or decreasing the amount of a bid;

3           (7) [~~(8)~~] an auction conducted only for student  
4 training purposes as part of a course of study approved by the  
5 department;

6           (8) [~~(9)~~] an auction conducted by a posted stockyard  
7 or market agency as defined by the federal Packers and Stockyards  
8 Act (7 U.S.C. Section 181 et seq.), as amended;

9           (9) [~~(10)~~] an auction of livestock conducted by a  
10 nonprofit livestock trade association chartered in this state, if  
11 the auction involves only the sale of livestock owned by members of  
12 the trade association;

13           (10) [~~(11)~~] an auction conducted by a charitable or  
14 nonprofit organization chartered in this state, if the auction:

15                   (A) is part of a fair that is organized under  
16 state, county, or municipal authority; and

17                   (B) involves only the sale of property owned by  
18 the organization's members; [~~or~~]

19           (11) [~~(12)~~] a sale or auction conducted by an  
20 auctioneer while the auctioneer is physically located outside of  
21 this state;

22           (12) a sale of motor vehicles at auction by a person  
23 licensed under Chapter 2301 or 2302;

24           (13) a sale of motor vehicles at auction by a person  
25 who holds a wholesale motor vehicle auction general distinguishing  
26 number or an independent motor vehicle general distinguishing  
27 number issued by the Texas Department of Motor Vehicles; or

1           (14) an auction of property through the Internet.

2           SECTION 3. Subchapter A, Chapter 1802, Occupations Code, is  
3 amended by adding Section 1802.004 to read as follows:

4           Sec. 1802.004. ADVERTISEMENT OF AUCTION. The commission,  
5 by rule, may adopt standards for the advertisement of an auction by  
6 an auctioneer or associate auctioneer licensed under this chapter.

7           SECTION 4. Section 1802.051, Occupations Code, is amended  
8 by amending Subsections (a) and (c) and adding Subsection (d) to  
9 read as follows:

10           (a) A person may not act as an auctioneer or associate  
11 auctioneer [~~of real or personal property~~] in this state unless the  
12 person holds a license issued by the executive director under this  
13 chapter.

14           (c) Except as provided by Subsection (d), an [~~An~~] individual  
15 who is licensed under this chapter may not act as an auctioneer for  
16 an entity unless the entity[+]

17           [~~(1)~~] is an auction company owned or operated by an  
18 individual who is licensed under this chapter[+]

19           [~~(2)~~ holds a dealer general distinguishing number  
20 ~~issued under Subchapter B, Chapter 503, Transportation Code, and~~  
21 ~~the auction is for the purpose of auctioning vehicles as defined by~~  
22 ~~Section 503.001, Transportation Code, or~~

23           [~~(3)~~ is a real estate brokerage firm that is operated  
24 ~~by a broker licensed by the Texas Real Estate Commission].~~

25           (d) An individual who is licensed under this chapter may  
26 conduct an auction to sell motor vehicles, as defined by Section  
27 501.002 or 502.001, Transportation Code, if the individual conducts

1 the auction for a person who holds a dealer general distinguishing  
2 number or wholesale motor vehicle auction general distinguishing  
3 number issued under Subchapter B, Chapter 503, Transportation Code,  
4 or a license issued under Subchapter C, Chapter 2302, of this code.

5 SECTION 5. Section 1802.052(a), Occupations Code, is  
6 amended to read as follows:

7 (a) An individual is eligible for an auctioneer's license if  
8 the individual:

9 (1) is at least 18 years of age;

10 (2) is a citizen of the United States or a legal alien;

11 (3) either:

12 (A) passes a written or oral examination  
13 demonstrating knowledge of the auction business and of the laws of  
14 this state relating to the auction business; or

15 (B) shows proof of employment by a licensed  
16 auctioneer for at least two years and participation in at least 10  
17 auctions during that employment;

18 (4) holds a high school diploma or a high school  
19 equivalency certificate;

20 (5) has not been convicted of a felony during the five  
21 years preceding the date of application; and

22 (6) has completed at least 80 hours of classroom  
23 instruction at an auction school with a curriculum approved by the  
24 department in accordance with the standards and procedures  
25 established by rule adopted under this chapter.

26 SECTION 6. Subchapter B, Chapter 1802, Occupations Code, is  
27 amended by adding Section 1802.053 to read as follows:

1       Sec. 1802.053. ELIGIBILITY FOR ASSOCIATE AUCTIONEER  
2 LICENSE. An individual is eligible for an associate auctioneer  
3 license if the individual is:

4           (1) a citizen of the United States or a legal alien;  
5 and

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

8       SECTION 7. Section 1802.054, Occupations Code, is amended  
9 to read as follows:

10       Sec. 1802.054. APPLICATION FOR LICENSE. An applicant for a  
11 license must apply to the executive director on a form provided by  
12 the executive director that establishes the applicant's  
13 eligibility for the license. The application must be accompanied  
14 by:

15           (1) any fee required for the auctioneer education and  
16 recovery fund authorized under Section 1802.153;

17           (2) the required application [~~license~~] fee; and

18           (3) either:

19               (A) the permit number of a sales tax permit  
20 issued to the applicant by the comptroller under Subchapter F,  
21 Chapter 151, Tax Code; or

22               (B) proof of exemption from the tax permit  
23 requirement under Chapter 151, Tax Code.

24       SECTION 8. Section 1802.055, Occupations Code, is amended  
25 to read as follows:

26       Sec. 1802.055. APPLICATION FOR EXAMINATION. [~~a~~] An  
27 individual who establishes that the individual is eligible for an

1 auctioneer's license may apply to the executive director to take  
2 the license examination. The application must be accompanied by  
3 the application [~~examination~~] fee.

4 [~~(b) On receipt of an examination application and fee, the~~  
5 ~~executive director shall furnish the applicant with:~~

6 [~~(1) study materials and references on which the~~  
7 ~~examination will be based; and~~

8 [~~(2) a schedule specifying the dates and places the~~  
9 ~~examination will be offered.~~

10 [~~(c) The applicant may take the examination at any scheduled~~  
11 ~~offering not later than the 90th day after the date the applicant~~  
12 ~~receives the study materials.]~~

13 SECTION 9. Section 1802.059(b), Occupations Code, is  
14 amended to read as follows:

15 (b) The executive director shall accept the applicant's  
16 auctioneer's license submitted under Subsection (a)(2) as proof of  
17 the applicant's professional competence and waive the examination  
18 or employment and training requirements of Section 1802.052 if the  
19 state or political subdivision that issued the nonresident a  
20 license extends similar recognition and courtesies to this state.

21 SECTION 10. The heading to Subchapter C, Chapter 1802,  
22 Occupations Code, is amended to read as follows:

23 SUBCHAPTER C. AUCTIONEER [~~EDUCATION~~] ADVISORY BOARD

24 SECTION 11. The heading to Section 1802.101, Occupations  
25 Code, is amended to read as follows:

26 Sec. 1802.101. AUCTIONEER [~~EDUCATION~~] ADVISORY BOARD.

27 SECTION 12. Section 1802.106, Occupations Code, is amended

1 to read as follows:

2           Sec. 1802.106. COMPENSATION. A member appointed under  
3 Section 1802.102(a)(1) may not receive[+]

4           [~~(1)~~] compensation for serving on the advisory board[+]  
5 ~~or~~

6           [~~(2)~~ reimbursement for expenses].

7           SECTION 13. Section 1802.107, Occupations Code, is amended  
8 to read as follows:

9           Sec. 1802.107. MEETINGS. [~~(a)~~ The advisory board shall  
10 ~~meet at least quarterly each calendar year.~~

11           [~~(b)~~] The advisory board shall [~~may~~] meet [~~at other times~~]  
12 at the call of the presiding officer of the commission or the  
13 executive director.

14           SECTION 14. Sections 1802.001(12) and 1802.051(b),  
15 Occupations Code, are repealed.

16           SECTION 15. Not later than March 1, 2016, the Texas  
17 Commission of Licensing and Regulation shall adopt rules necessary  
18 to implement the changes in law made by this Act.

19           SECTION 16. (a) Notwithstanding Chapter 1802, Occupations  
20 Code, as amended by this Act, a person is not required to hold a  
21 license issued under that chapter to act as an associate auctioneer  
22 until March 1, 2016.

23           (b) An individual who was licensed by the Texas Department  
24 of Licensing and Regulation as an associate auctioneer on or before  
25 June 14, 2013, may apply the individual's work experience  
26 participating in auctions as an associate auctioneer on or before  
27 June 14, 2013, toward the individual's eligibility for an



H.B. No. 2481

1 auctioneer's license under Chapter 1802, Occupations Code.

2 SECTION 17. This Act takes effect September 1, 2015.

ADOPTED

MAY 22 2015

*Atty. Gen. Saw*  
Secretary of the Senate

\_\_\_\_.B. No. \_\_\_\_\_

By: \_\_\_\_\_

Substitute the following for \_\_\_\_B. No. \_\_\_\_\_:

By: *Uhl*

C.S.H.B. No. 2481

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the licensing and regulation of auctioneers, associate  
3 auctioneers, and auctions; requiring an occupational license;  
4 requiring a fee.

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

6 SECTION 1. Section 1802.001, Occupations Code, is amended  
7 by amending Subdivisions (1), (5), and (10) and adding Subdivision  
8 (2) to read as follows:

9 (1) "Advisory board" means the Auctioneer [~~Education~~]  
10 Advisory Board.

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

15 (5) "Auctioneer" means any individual [~~person~~] who [+  
16 [~~(A)~~] sells or offers to sell property of another  
17 person by live bid at auction, with or without receiving  
18 consideration[~~, or~~

19 [~~(B) solicits, negotiates, or executes an~~  
20 ~~auction listing contract~~].

21 (10) "Personal property" means any property other than  
22 real property[~~, including all tangible and intangible types of~~  
23 ~~property~~].

24 SECTION 2. Section 1802.002(a), Occupations Code, is

1 amended to read as follows:

2 (a) This chapter does not apply to:

3 (1) a sale conducted by order of a United States court  
4 under Title 11, United States Code;

5 (2) a sale conducted by an employee of the United  
6 States, this state, or a political subdivision of this state in the  
7 course and scope of employment;

8 (3) a sale conducted by a charitable, religious, or  
9 civic organization, including an organization having a tax exempt  
10 status under Section 501(c), Internal Revenue Code of 1986, or  
11 organized as a nonprofit entity, if the person organizing,  
12 arranging, or conducting the auction receives no compensation;

13 ~~(4) [a sale conducted by any person of the person's~~  
14 ~~property if the person is not engaged in the business of selling~~  
15 ~~property at auction on a recurring basis;~~

16 ~~[(5)]~~ a foreclosure sale of real property personally  
17 conducted by a trustee under a deed of trust;

18 (5) ~~[(6)]~~ a foreclosure sale of personal property  
19 personally conducted by:

20 (A) a person who holds a security interest in the  
21 property, including a mortgage; or

22 (B) an employee or agent of a person described by  
23 Paragraph (A) acting in the course and scope of employment, if:

24 (i) the employee or agent is not otherwise  
25 engaged in the auction business; and

26 (ii) all property for sale in the auction is  
27 subject to a security agreement;

1           (6) [~~(7)~~] a sale conducted by sealed bid without the  
2 option of increasing or decreasing the amount of a bid;

3           (7) [~~(8)~~] an auction conducted only for student  
4 training purposes as part of a course of study approved by the  
5 department;

6           (8) [~~(9)~~] an auction conducted by a posted stockyard  
7 or market agency as defined by the federal Packers and Stockyards  
8 Act (7 U.S.C. Section 181 et seq.), as amended;

9           (9) [~~(10)~~] an auction of livestock conducted by a  
10 nonprofit livestock trade association chartered in this state, if  
11 the auction involves only the sale of livestock owned by members of  
12 the trade association;

13           (10) [~~(11)~~] an auction conducted by a charitable or  
14 nonprofit organization chartered in this state, if the auction:

15                   (A) is part of a fair that is organized under  
16 state, county, or municipal authority; and

17                   (B) involves only the sale of property owned by  
18 the organization's members; [~~or~~]

19           (11) [~~(12)~~] a sale or auction conducted by an  
20 auctioneer while the auctioneer is physically located outside of  
21 this state;

22           (12) a sale of motor vehicles at auction by a person  
23 licensed under Chapter 2301 or 2302;

24           (13) a sale of motor vehicles at auction by a person  
25 who holds a wholesale motor vehicle auction general distinguishing  
26 number or an independent motor vehicle general distinguishing  
27 number issued by the Texas Department of Motor Vehicles; or

1           (14) an auction of property through the Internet.

2           SECTION 3. Subchapter A, Chapter 1802, Occupations Code, is  
3 amended by adding Section 1802.004 to read as follows:

4           Sec. 1802.004. ADVERTISEMENT OF AUCTION. The commission,  
5 by rule, may adopt standards for the advertisement of an auction by  
6 an auctioneer or associate auctioneer licensed under this chapter.

7           SECTION 4. Section 1802.051, Occupations Code, is amended  
8 by amending Subsections (a) and (c) and adding Subsection (d) to  
9 read as follows:

10           (a) A person may not act as an auctioneer or associate  
11 auctioneer [~~of real or personal property~~] in this state unless the  
12 person holds a license issued by the executive director under this  
13 chapter.

14           (c) Except as provided by Subsection (d), an [An] individual  
15 who is licensed under this chapter may not act as an auctioneer for  
16 an entity unless the entity:

17                   (1) is an auction company owned or operated by an  
18 individual who is licensed under this chapter; or

19                   (2) [~~holds a dealer general distinguishing number~~  
20 ~~issued under Subchapter B, Chapter 503, Transportation Code, and~~  
21 ~~the auction is for the purpose of auctioning vehicles as defined by~~  
22 ~~Section 503.001, Transportation Code; or~~

23                   [~~(3)~~] is a real estate brokerage firm that is operated  
24 by a broker licensed by the Texas Real Estate Commission.

25           (d) An individual who is licensed under this chapter may  
26 conduct an auction to sell motor vehicles, as defined by Section  
27 501.002 or 502.001, Transportation Code, for a person who holds:

1           (1) a dealer general distinguishing number or a  
2 wholesale motor vehicle auction general distinguishing number  
3 issued under Subchapter B, Chapter 503, Transportation Code; or

4           (2) a license issued under Subchapter C, Chapter 2302.

5           SECTION 5. Section 1802.052(a), Occupations Code, is  
6 amended to read as follows:

7           (a) An individual is eligible for an auctioneer's license if  
8 the individual:

9           (1) is at least 18 years of age;

10          (2) is a citizen of the United States or a legal alien;

11          (3) either:

12                 (A) passes a written or oral examination  
13 demonstrating knowledge of the auction business and of the laws of  
14 this state relating to the auction business; or

15                 (B) shows proof of employment by a licensed  
16 auctioneer for at least two years and participation in at least 10  
17 auctions during that employment;

18          (4) holds a high school diploma or a high school  
19 equivalency certificate;

20          (5) has not been convicted of a felony during the five  
21 years preceding the date of application; and

22          (6) has completed at least 80 hours of classroom  
23 instruction at an auction school with a curriculum approved by the  
24 department in accordance with the standards and procedures  
25 established by rule adopted under this chapter.

26           SECTION 6. Subchapter B, Chapter 1802, Occupations Code, is  
27 amended by adding Section 1802.053 to read as follows:

1           Sec. 1802.053. ELIGIBILITY FOR ASSOCIATE AUCTIONEER  
2 LICENSE. An individual is eligible for an associate auctioneer  
3 license if the individual is:

4           (1) a citizen of the United States or a legal alien;  
5 and

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

8           SECTION 7. Section 1802.054, Occupations Code, is amended  
9 to read as follows:

10           Sec. 1802.054. APPLICATION FOR LICENSE. An applicant for a  
11 license must apply to the executive director on a form provided by  
12 the executive director that establishes the applicant's  
13 eligibility for the license. The application must be accompanied  
14 by:

15           (1) any fee required for the auctioneer education and  
16 recovery fund authorized under Section 1802.153;

17           (2) the required application [~~license~~] fee; and

18           (3) either:

19                   (A) the permit number of a sales tax permit  
20 issued to the applicant by the comptroller under Subchapter F,  
21 Chapter 151, Tax Code; or

22                   (B) proof of exemption from the tax permit  
23 requirement under Chapter 151, Tax Code.

24           SECTION 8. Section 1802.055, Occupations Code, is amended  
25 to read as follows:

26           Sec. 1802.055. APPLICATION FOR EXAMINATION. [~~(a)~~] An  
27 individual who establishes that the individual is eligible for an

1 auctioneer's license may apply to the executive director to take  
2 the license examination. The application must be accompanied by  
3 the application [~~examination~~] fee.

4 [~~(b) On receipt of an examination application and fee, the~~  
5 ~~executive director shall furnish the applicant with:~~

6 [~~(1) study materials and references on which the~~  
7 ~~examination will be based; and~~

8 [~~(2) a schedule specifying the dates and places the~~  
9 ~~examination will be offered.~~

10 [~~(c) The applicant may take the examination at any scheduled~~  
11 ~~offering not later than the 90th day after the date the applicant~~  
12 ~~receives the study materials.]~~

13 SECTION 9. Section 1802.059(b), Occupations Code, is  
14 amended to read as follows:

15 (b) The executive director shall accept the applicant's  
16 auctioneer's license submitted under Subsection (a)(2) as proof of  
17 the applicant's professional competence and waive the examination  
18 or employment and training requirements of Section 1802.052 if the  
19 state or political subdivision that issued the nonresident a  
20 license extends similar recognition and courtesies to this state.

21 SECTION 10. The heading to Subchapter C, Chapter 1802,  
22 Occupations Code, is amended to read as follows:

23 SUBCHAPTER C. AUCTIONEER [~~EDUCATION~~] ADVISORY BOARD

24 SECTION 11. The heading to Section 1802.101, Occupations  
25 Code, is amended to read as follows:

26 Sec. 1802.101. AUCTIONEER [~~EDUCATION~~] ADVISORY BOARD.

27 SECTION 12. Section 1802.106, Occupations Code, is amended



1 to read as follows:

2           Sec. 1802.106. COMPENSATION. A member appointed under  
3 Section 1802.102(a)(1) may not receive[+]

4           ~~[(1)]~~ compensation for serving on the advisory board[+]  
5 ~~or~~

6           ~~[(2) reimbursement for expenses]~~.

7           SECTION 13. Section 1802.107, Occupations Code, is amended  
8 to read as follows:

9           Sec. 1802.107. MEETINGS. ~~[(a) The advisory board shall~~  
10 ~~meet at least quarterly each calendar year.~~

11           ~~[(b)]~~ The advisory board shall [may] meet [at other times]  
12 at the call of the presiding officer of the commission or the  
13 executive director.

14           SECTION 14. Section 2301.362, Occupations Code, is amended  
15 by amending Subsection (a) and adding Subsections (c) and (d) to  
16 read as follows:

17           (a) Except as provided by Subsections [~~Subsection~~] (b) and  
18 (c) and Sections 2301.358(c) and (d), a dealer may only sell or  
19 offer to sell a motor vehicle from an established and permanent  
20 place of business:

21                   (1) that is approved by the division; and

22                   (2) for which a general distinguishing number has been  
23 issued.

24           (c) A dealer may sell, offer to sell, including by  
25 consignment, or exchange at a public auction an antique motor  
26 vehicle that is at least 25 years of age or a special interest  
27 vehicle that is at least 12 years of age or that has been the subject

1 of a retail sale.

2 (d) For purposes of this section, "special interest  
3 vehicle" has the meaning assigned by Section 683.077,  
4 Transportation Code.

5 SECTION 15. Sections 1802.001(12) and 1802.051(b),  
6 Occupations Code, are repealed.

7 SECTION 16. Not later than March 1, 2016, the Texas  
8 Commission of Licensing and Regulation shall adopt rules necessary  
9 to implement the changes in law made by this Act.

10 SECTION 17. (a) Notwithstanding Chapter 1802, Occupations  
11 Code, as amended by this Act, a person is not required to hold a  
12 license issued under that chapter to act as an associate auctioneer  
13 until March 1, 2016.

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

20 SECTION 18. This Act takes effect September 1, 2015.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 23, 2015**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2481** by Smith (Relating to the licensing and regulation of auctioneers, associate auctioneers, and auctions; requiring an occupational license; requiring a fee.), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Occupations Code relating to the licensing and regulation of auctioneers, associate auctioneers, and auctions; requiring an occupational license; requiring a fee. Based on the analysis of the Department of Licensing and Regulation and the Department of Motor Vehicles, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 452 Department of Licensing and Regulation, 608 Department of Motor Vehicles

**LBB Staff:** UP, SD, CL, NV, JSm

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 18, 2015**

**TO:** Honorable Kevin Eltife, Chair, Senate Committee on Business & Commerce

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2481** by Smith (Relating to the licensing and regulation of auctioneers, associate auctioneers, and auctions; requiring an occupational license; requiring a fee.), **Committee Report 2nd House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Occupations Code relating to the licensing and regulation of auctioneers, associate auctioneers, and auctions; requiring an occupational license; requiring a fee. Based on the analysis of the Department of Licensing and Regulation and the Department of Motor Vehicles, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 452 Department of Licensing and Regulation, 608 Department of Motor Vehicles

**LBB Staff:** UP, CL, NV, JSm

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**April 27, 2015**

**TO:** Honorable Kevin Eltife, Chair, Senate Committee on Business & Commerce

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2481** by Smith (Relating to the licensing and regulation of auctioneers and associate auctioneers; amending provisions subject to a criminal penalty; requiring an occupational license; requiring a fee.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Occupations Code relating to the licensing and regulation of auctioneers and associate auctioneers; amending provisions subject to a criminal penalty; requiring an occupational license; requiring a fee. Based on the analysis of the Department of Licensing and Regulation and the Department of Motor Vehicles, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 452 Department of Licensing and Regulation, 608 Department of Motor Vehicles

**LBB Staff:** UP, CL, NV, JSm

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**April 8, 2015**

**TO:** Honorable Wayne Smith, Chair, House Committee on Licensing & Administrative Procedures

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB2481** by Smith (Relating to the licensing and regulation of auctioneers and associate auctioneers; amending provisions subject to a criminal penalty; requiring an occupational license; requiring a fee.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Occupations Code relating to the licensing and regulation of auctioneers and associate auctioneers; amending provisions subject to a criminal penalty; requiring an occupational license; requiring a fee. Based on the analysis of the Department of Licensing and Regulation and the Department of Motor Vehicles, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 452 Department of Licensing and Regulation, 608 Department of Motor Vehicles

**LBB Staff:** UP, CL, NV, JSm

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**March 27, 2015**

**TO:** Honorable Wayne Smith, Chair, House Committee on Licensing & Administrative Procedures

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2481** by Smith (Relating to the licensing and regulation of auctioneers and associate auctioneers; amending provisions subject to a criminal penalty; requiring an occupational license.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Occupations Code relating to the licensing and regulation of auctioneers and associate auctioneers; amending provisions subject to a criminal penalty; requiring an occupational license. Based on the analysis of the Department of Licensing and Regulation and the Department of Motor Vehicles, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 452 Department of Licensing and Regulation, 608 Department of Motor Vehicles

**LBB Staff:** UP, CL, NV, JSm