

By: Thompson

H.B. No. 4397

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the creation of an auctioneer's license for heavy
3 equipment dealers.

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

5 SECTION 1. Sec. 1802.051, Occupations Code, is amended by
6 adding subsection (e) to read as follows:

7 LICENSE REQUIRED. (a) A person may not act as an auctioneer
8 or associate auctioneer in this state unless the person holds a
9 license issued by the department under this chapter.

10 (b) Repealed by Acts 2015, 84th Leg., R.S., Ch. 777 (H.B.
11 2481), Sec. 15, eff. September 1, 2015.

12 (c) Except as provided by Subsection (d), an individual who
13 is licensed under this chapter may not act as an auctioneer or
14 associate auctioneer for an entity unless the entity:

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

17 (2) is a real estate brokerage firm that is operated by
18 a broker licensed by the Texas Real Estate Commission.

19 (d) An individual who is licensed under this chapter may
20 conduct an auction to sell motor vehicles, as defined by Section
21 501.002 or 502.001, Transportation Code, for a person who holds:

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

1 (2) a license issued under Subchapter C, Chapter 2302.
2 (e) Notwithstanding any other provision in this Chapter,
3 the Department may issue an auctioneer's license to corporations
4 pursuant to rules promulgated by the Commission.

5 SECTION 2. This Act takes effect September 1, 2025.