

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 371

Session of
1975

INTRODUCED BY BUTERA AND PANCOAST, FEBRUARY 10, 1975

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
FEBRUARY 10, 1975

AN ACT

1 Amending the act of September 29, 1961 (P.L.1745, No.708),
2 entitled, as amended, "An act to define, license and regulate
3 resident and nonresident auctioneers in this Commonwealth,
4 and revising, consolidating and making the law uniform
5 relative thereto; conferring certain powers and duties on the
6 Board of Auctioneer Examiners, the Commissioner of
7 Professional and Occupational Affairs, the Secretary of the
8 Commonwealth and on certain other departments and officers of
9 the State; providing for the keeping of records and the
10 inspection thereof; repealing certain inconsistent laws, and
11 providing penalties," prohibiting the sale of real estate by
12 auctioneers or apprentices unless they have a real estate
13 broker's license and providing penalties.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. Section 28, act of September 29, 1961 (P.L.1745,
17 No.708), known as "The Auctioneers' License Act," reenacted and
18 amended June 15, 1972 (P.L.399, No.119), is amended to read:

19 Section 28. Unlawful [Act] Acts.--(a) It shall be unlawful
20 for any licensed auctioneer or apprentice auctioneer to pay any
21 compensation in money or other valuable thing to any person
22 other than a licensed auctioneer or apprentice auctioneer for
23 the rendering of any service or the doing of any of the acts by

1 this act forbidden to be rendered or performed by other than
2 licensees.

3 (b) No apprentice auctioneer shall accept or receive
4 compensation of any kind from any person other than the licensed
5 auctioneer by whom he is employed for any service rendered or
6 work done by him as an apprentice in the discharge of his
7 duties.

8 (c) [The violation of the provisions of this section by any
9 licensee shall be sufficient cause for the suspension or
10 revocation of his license in the discretion of the board.] No
11 licensed auctioneer or apprentice auctioneer shall be entitled
12 to sell real estate for compensation without being licensed as a
13 real estate broker pursuant to law.

14 (d) It shall be unlawful for any licensed auctioneer or
15 apprentice auctioneer to bid and buy for himself at any auction
16 he is conducting.

17 (e) The violation of any of the provisions of this section
18 by any licensee shall be sufficient cause for the suspension or
19 revocation of his license in the discretion of the board.