

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 39

Session of
1977

INTRODUCED BY PANCOAST, JANUARY 19, 1977

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
JANUARY 19, 1977

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 and apprentice
4 auctioneers in this Commonwealth, and revising, consolidating
5 and making the law uniform relative thereto; conferring
6 certain powers and duties on the Board of Auctioneer
7 Examiners, the Commissioner of Professional and Occupational
8 Affairs, the Secretary of the Commonwealth and on certain
9 other departments and officers of the State; providing for
10 the keeping of records and the inspection thereof; repealing
11 certain inconsistent laws, and providing penalties,"
12 prohibiting the sale of real estate by auctioneers or
13 apprentices unless they have a real estate broker's license
14 and providing penalties.

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

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

20 Section 28. Unlawful [Act] Acts.--(a) It shall be unlawful
21 for any licensed auctioneer or apprentice auctioneer to pay any
22 compensation in money or other valuable thing to any person
23 other than a licensed auctioneer or apprentice auctioneer for
24 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.

20 Section 2. This act shall take effect in 60 days.