

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-601 of the Code of Virginia, relating to auctioneers; exemption*
3 *from licensure.*

4 [S 202]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 54.1-601 of the Code of Virginia is amended and reenacted as follows:**8 **§ 54.1-601. Exemptions.**9 The provisions of this chapter and the terms "Virginia licensed auctioneer," "auctioneer" or "auction
10 firm," as defined in § 54.1-600, shall not apply to:11 1. Any person who auctions his own property, whether owned or leased, provided his regular
12 business is not as an auctioneer;13 2. Any person who is acting as a receiver, trustee in bankruptcy, guardian, conservator, administrator,
14 or executor, or any person acting under order of a court;

15 3. A trustee acting under a trust agreement, deed of trust, or will;

16 4. An attorney-at-law licensed to practice in the Commonwealth of Virginia acting pursuant to a
17 power of attorney;18 5. Sales at auction conducted by or under the direction of any public authority, or pursuant to any
19 judicial order or decree;20 6. Sale of livestock at a public livestock market authorized by the Commissioner of Agriculture and
21 Consumer Services;

22 7. Leaf tobacco sales conducted in accordance with the provisions of § 3.1-336;

23 8. Sale at auction of automobiles conducted under the provisions of § 46.2-644.03 or by a motor
24 vehicle dealer licensed under the provisions of Chapter 15 (§ 46.2-1500 et seq.) of Title 46.2;25 9. Sale at auction of a particular brand of livestock conducted by an auctioneer of a livestock trade
26 association;27 10. Sales conducted by and on behalf of any charitable, religious, civic club, fraternal, or political
28 organization if the person conducting the sale receives no compensation, either directly or indirectly,
29 therefor and has no ownership interest in the merchandise being sold or financial interest in the entity
30 providing such merchandise;31 11. Sales, not exceeding one sale per year, conducted by or on behalf of (i) a civic club or (ii) a
32 charitable organization granted tax-exempt status under § 501(c)(3) of the Internal Revenue Code; or33 12. Sales of collateral, sales conducted to enforce carriers' or warehousemen's liens, bulk sales, sales
34 of goods by a presenting bank following dishonor of a documentary draft, resales of rightfully rejected
35 goods, resales of goods by an aggrieved seller, or other resales conducted pursuant to Titles 8.1A
36 through 8.10 and Chapter 23 (§ 55-416 et seq.) of Title 55.

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