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HOUSE BILL NO. 2039

Offered January 13, 1997

A *BILL to amend and reenact § 54.1-603 of the Code of Virginia, relating to the licensure of auctioneers.*

Patron—Cox

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:**1. That § 54.1-603 of the Code of Virginia is amended and reenacted as follows:**

§ 54.1-603. License required; requirements for licensure; nonresident applicants.

A. Unless exempted by § 54.1-601, no person or firm shall sell at auction without being licensed by the Board. Any applicant for licensure who was certified by or registered with the Board prior to July 1, 1991, shall be exempt from the requirements of subsection B of this section if he applies prior to January 1, 1992.

B. Any auctioneer desiring to obtain a license may apply to the Board and shall establish to the satisfaction of the Board that he:

1. Is a resident of Virginia and meets the application fee requirements set by the Board;

2. Is covered by a surety bond, executed by a surety company authorized to do business in this Commonwealth, in a reasonable amount to be fixed by the Board, conditioned upon the faithful and honest conduct of his business or employment;

3. Has successfully completed a course of study at a school of auctioneering which has obtained course approval from the Board; or an equivalent course ~~or conducted at least twenty-five auctions within the past eight years at which the applicant has cried the bids~~; and

4. Has passed the Virginia Licensed Auctioneer's Examination, administered by the Auctioneers Board.

C. A nonresident of the Commonwealth may be licensed as an auctioneer by meeting one of the following requirements: (i) conform to the provisions of this Chapter and regulations of the Board with reference to resident auctioneers or (ii) hold a valid auctioneer's license or certificate in another state with which reciprocity has been established by the Board. Nonresident applicants shall also file with the Board an irrevocable consent that service of process upon the Director is as valid and binding as service of process upon the applicant.

Any process or pleading served upon the Director shall be filed by the Director in his office and a copy thereof immediately forwarded by registered mail to the main office of the auctioneer at the last known address.

INTRODUCED

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