

March 4, 1999

H 301. AUCTIONEER EDUCATION REQUIREMENTS. TO AMEND THE EDUCATIONAL REQUIREMENTS FOR AUCTIONEERS, APPRENTICE AUCTIONEERS, AND PRINCIPALS IN AN AUCTION FIRM. Requires that the NC Auctioneers Comm'n set reasonable fines for licensee statutory violations and specifically for commission of acts prohibited by G.S. 85B. Prohibits a person who is not a high school graduate or the equivalent from being licensed as an apprentice auctioneer, auctioneer or receive an auction firm license. Provides that a person who has participated in at least 80 hours of classroom instruction may receive an auctioneering license without first having an apprentice license only if the classroom instruction was received at an institution whose curriculum and instructors meet qualifications established by the Auctioneers Comm'n. Allows the Comm'n to set continuing education requirements for license renewal. Amends provisions regulating the Auctioneer recovery fund to require the Comm'n to maintain at least \$200,000 (was \$100,000) in the fund. Increases license and renewal fees for apprentice auctioneers from \$50 to \$125, application fee for auctioneers and auctioneer firms from \$50 to \$125, for auctioneer and auction firm exams from \$25 to \$75, for renewal of auctioneer and auctioneer firm license from \$100 to \$250, and increases license reinstatement fees from \$25 to \$75. Provides that the Attorney General has concurrent jurisdiction with district attorneys to prosecute persons acting as an auctioneer without the appropriate license. Adds new section G.S. 114-19.8 to allow the Dep't of Justice to provide criminal histories of license applicants to the Auctioneers Comm'n. The Comm'n must provide fingerprints and written consent of applicant to Dep't of Justice along with request for criminal history. Dep't of Justice must forward the fingerprints to the SBI and the FBI for record check. Act is effective when it becomes law.

Intro. by Culpepper.

Ref. to Finance

GS 85B, 114

April 12, 1999

H 301. AUCTIONEER AMENDMENTS. Intro. 3/4/99. House committee substitute makes the following changes to 1st edition. Defines Auctioneers Comm'n's powers and duties in new GS 85B-3.1, which includes authority to assess civil penalty not in excess of \$2,000 for acts prohibited in GS 85B-8. Civil penalties collected to be remitted to school fund of county in which violation occurred. Sets out factors comm'n to consider before imposing and assessing civil penalty. Adds new GS 85B-3.2 to require comm'n to check criminal history of applicant as set out in section. Adds new GS 114-19.8 to allow Dep't of Justice to provide criminal histories to comm'n and specifies comm'n duties and charging of fees for criminal record check.. Makes clear in GS 85B-4(b)(1a) that person licensed before July 1, 1999, does not need to be high school graduate or equivalent. Makes sections 1 (amendments to GS 85B-3), 2 (new GS 85B-3.1, discussed above), and 7 (amendments to GS 85B-8) effective Oct. 1, 1999. Makes sections 3 (new GS 85B-3.2, discussed above), 4 (amendments to GS 85B-4), 6 (amendments to fees in GS 85B-6), and 9 (new GS 114-19.8, discussed above) effective July 1, 1999.