Session 110 - (1993-1994)

H*4050 (Rat #0264, Act #0155 of 1993) General Bill, By Wilkes
Similar (S 0757)

A Bill to amend the Code of Laws of South Carolina, 1976, by adding Section 40-6-85 so as to provide licensing requirements for an auction firm; by adding Section 40-6-155 so as to provide trust and escrow account requirements for auctioneers; by adding Section 40-6-175 so as to authorize the South Carolina Auctioneers' Commission to assess fines for violations; by amending Section 40-6-10, as amended, relating to definitions, so as to revise and add certain definitions; by amending Section 40-6-20, as amended, relating to to auctions which are not subject to the authority of the South Carolina Auctioneers' Commission, so as to exempt auctions for motor vehicles and to provide exceptions to the exemptions; by amending Section 40-6-50, relating to licensure, so as to provide that a license is required unless the auction is exempt; to amend Section 40-6-60, as amended, relating to licensing requirements, so as to include apprentice auctioneers and auction firms and to require paying certain fees and providing criminal history and credit records; by amending Sections 40-6-70 and 40-6-80, both as amended, relating to apprentice auctioneer and auctioneer license requirements, so as to require that the licensing examination must be written; by amending Section 40-6-90, relating to renewal of licenses, so as to provide for date of expiration and continuing education requirements; by amending Section 40-6-130, as amended, relating to reciprocal licensing, so as to provide that a reciprocal license may be issued if the applicant's resident state provides reciprocity to South Carolina residents and to provide requirements for obtaining such a license; by amending Section 40-6-150, relating to written agreements to conduct auctions and records of sales, so as to require that these agreements and records must be made available to the Commission on request; by amending Section 40-6-160, as amended, relating to grounds for denial, suspension, and revocation of licenses, so as to provide procedures for investigations, to add violations for making false statements on applications and in investigations, for failing to properly use and maintain trust or escrow accounts, for failing to pay fines, for failing to disclose required information, and for lack of financial responsibility, and to authorize the Commission also to issue orders for compliance and to place a licensee on probation; by amending Section 40-6-180, as amended, relating to notice and hearing requirements, so as to revise these requirements; by amending Section 40-6-200, relating to the Auctioneer Recovery Fund, so as to provide that new licensees must contribute to the Fund and to provide how excess funds may be expended; by amending Section 40-6-220, relating to claims under the Fund, so as to provide that a person's license may be suspended or revoked after payment of a claim filed against the person; and by providing that continuing education requirements take effect June 30, 1995.-amended title

Date	Body	Action
04/14/93	House	Introduced and read first time HJ-46
04/14/93	House	Referred to Committee on Labor, Commerce and Industry HJ-46
05/19/93	House	Committee report: Favorable with amendment Labor, Commerce and Industry HJ-17
05/26/93	House	Amended HJ-72
05/26/93	House	Read second time HJ-73
05/27/93	House	Amended HJ-127
05/27/93	House	Read third time and sent to Senate HJ-127
06/01/93	Senate	Introduced, read first time, placed on calendar without reference SJ-47
06/01/93	Senate	Unanimous consent for second reading on next legislative day SJ-48
06/01/93	Senate	With notice of general amendments SJ-48
06/02/93	Senate	Read second time SJ-64
06/02/93	Senate	Ordered to third reading with notice of amendments SJ-64
06/02/93	Senate	Unanimous consent for third reading on next legislative day SJ-131
06/03/93	Senate	Read third time and enrolled SJ-35
06/10/93		Ratified R 264
06/14/93		Signed By Governor
06/14/93		Effective date 06/14/93
07/13/93		Act No. 155
07/13/93		Copies available