

1 HB428  
2 209573-1  
3 By Representative Faulkner  
4 RFD: Boards, Agencies and Commissions  
5 First Read: 01-MAR-22

SYNOPSIS: Under existing law, certain auctions are exempt from regulation by the State Board of Auctioneers.

This bill would also exempt computer-automated Internet auctions from regulation by the board.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to the State Board of Auctioneers; to amend Section 34-4-3, Code of Alabama 1975, to exempt computer-automated Internet auctions from regulation by the board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 34-4-3 of the Code of Alabama 1975, is amended to read as follows:

"§34-4-3.

1           "(a) The provisions of this chapter and the terms  
2 "auctioneer," "apprentice auctioneer," and "auction business  
3 or business of auctioneering," as defined in Section 34-4-2,  
4 shall not apply to and shall not include any person acting as  
5 a receiver, trustee in bankruptcy, guardian, administrator, or  
6 executor or any ~~such~~ person acting under order of any court,  
7 nor shall they include a trustee acting under a trust  
8 agreement, deed of trust, or will, nor shall they include  
9 sales at auction conducted by or under the direction of any  
10 public authority or pursuant to any judicial order or decree.

11           "(b) In addition to subsection (a), this chapter  
12 does not apply to any sales through an Internet website that  
13 uses computer automation to accept competitive bids and a  
14 countdown clock to determine when bidding ends, in lieu of an  
15 auctioneer to call bids."

16           Section 2. This act shall become effective on the  
17 first day of the third month following its passage and  
18 approval by the Governor, or its otherwise becoming law.