

January 16, 1951.
Passed on File.

House File 66

By OLSON of Mitchell, NELSON of Woodbury,
NORLAND of Worth.

Passed House, Date
Vote: Ayes..... Nays.....
Passed Senate, Date
Vote: Ayes..... Nays.....
Approved

A BILL FOR

An Act to repeal chapter five hundred forty-six (546), Code 1950, relating to nonresident auctioneers and to substitute a new chapter relating to the licensing of auctioneers crying sales within the state of Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. That chapter five hundred forty-six
2 (546), Code 1950, is hereby repealed.

1 Sec. 2. Any resident of the state of Iowa shall be
2 licensed by the secretary of state to act as an auctioneer
3 within the state of Iowa for a period of one year commencing
4 on January 1 of the year of application and expiring on
5 December 31 of said year, upon application by any resident
6 of Iowa, and upon said applicant filing bond in the penal
7 sum of one thousand dollars (\$1,000.00) and paying a license
8 fee of ten dollars (\$10.00). The secretary of state shall
9 keep a registration book showing the date of issuance of said
10 license and the period of same and to whom issued and the funds
11 so derived from said licensing shall become part of the general
12 funds of the state of Iowa and said license when issued shall
13 bear the name and residence address of the licensee, the date

14 of issuance and the period for which said license is granted
15 and shall be signed by the secretary of state, and shall permit
16 the licensee to act as an auctioneer in any county within the
17 state of Iowa.

1 Sec. 3. The secretary of state of the state of Iowa
2 shall issue an auctioneer's license in the same form as provided
3 for resident auctioneers to a nonresident, whose residence
4 is in a state in which a resident of this state would be
5 permitted to cry an auction sale if said state does not require
6 a license or in which state a resident of this state would be
7 licensed to cry auctions by the state of the nonresident.

1 Sec. 4. It shall be unlawful for any resident or
2 nonresident of this state to cry any sale of property as an
3 auctioneer within the state, without first having secured a
4 license as herein provided.

1 Sec. 5. If any person shall sell or attempt to sell
2 any property as an auctioneer either directly or indirectly or
3 to sell or assist in selling at auctions, without having secured
4 a license to so act and in violation of the provisions of this
5 chapter, he shall be guilty of a misdemeanor and punished by a
6 fine not exceeding one hundred dollars, or imprisoned in the
7 county jail not exceeding thirty days.

1 Sec. 6. The provisions of this chapter shall not be
2 applicable to sale of property under direction or authority of
3 any chattel mortgage, court proceeding, or process thereof.

1 Sec. 7. This act being deemed of immediate importance

2 shall be in full force and effect from and after its publication
3 in the Howard County Times, a newspaper published at Cresco,
4 Iowa, and The Cedar Rapids Gazette, a newspaper published at
5 Cedar Rapids, Iowa.

EXPLANATION OF H. F. 66

This bill makes possible reciprocity between the states for auctioneers, inasmuch as neighboring states required licenses and cannot permit an auctioneer to cry within their boundaries without a license as provided under our present statute. This will cure the defect in our present law as set out in Section 546.1.