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§1117. Qualifications for Licensing as an Apprentice Auctioneer

*In order to qualify as an apprentice auctioneer, the applicant must comply with the following:*

- A. The applicant must be at least 18 years of age **and have a high school diploma or its equivalent.**
- B. **The applicant must be a legal resident of the State of Louisiana.**
- C. **The applicant must have worked in the auction business for a minimum of six (6) months prior to application for an apprenticeship.**
- C. The applicant must submit the following:
  1. An application for licensing on a form to be provided by the Board;
  2. An oath of office;
  3. A good and sufficient surety bond executed by the applicant as principal and by a surety company qualified to do business in the state of Louisiana as surety in the amount of \$10,000, which shall be delivered to the board at the time of the initial license application (see §1201);
  4. ~~An irrevocable consent form (out of state applicants only);~~
  4. A copy of voter registration *or other appropriate proof of residency*;
  5. A certified check, money order or cash in the sum of \$100;
  6. A form signed by the supervising Louisiana resident licensed auctioneer stating that the apprentice will be serving under him for the term of one year;
  7. A copy of the rules and regulations signed by both the apprentice and the supervising auctioneer.
- D. ~~In state and out of state persons can be considered for licensing as apprentices. However, The apprentice must work under a Louisiana licensed auctioneer during his one-year training period who has qualified as a Supervising Auctioneer pursuant to Section 1118 of this Chapter.~~
- E. All apprentice applicants must be approved by the Louisiana Auctioneers Licensing Board prior to ~~licensing~~ *being granted apprentice status.*

§ 1118. *Qualifications to be Supervising Auctioneer for Apprentice*

*In order to qualify as a Supervising Auctioneer for an Apprentice, the auctioneer must comply with the following:*

- A. **The auctioneer must be a Louisiana resident.**
- B. **The auctioneer must have been licensed by the Board for at least three consecutive years at the time of the application by the apprentice.**
- C. **The auctioneer must have an established auction business conducting auctions at least twice a month on a regular basis.**
- D. **The auctioneer must have a working knowledge of different types of auctions, i.e. auction houses, real estate, estates, construction equipment, farm equipment, liquidations, charitable and government auctions. The auctioneer should provide**

*documentation of his experience, including but not limited to his graduation from an auction school approved by the Louisiana Auctioneers Licensing Board at the time of the graduation.*

- E. The auctioneer must have a general knowledge of Louisiana law which affects auctioneers and their practice. This can be established by proving graduation from an auction school approved by the Louisiana Auctioneers Licensing Board at the time of the graduation or by taking the examination given to licensing applicants.*
- F. Any auctioneer who presently has an apprentice training under him may complete the year. This regulation will affect only those who begin an apprenticeship training after the approval of these regulations.*
- G. The auctioneer cannot have any other apprentice being supervised at the time of application. A supervising auctioneer may have only one apprentice working under his supervision at any time.*

### **§1119. Apprentice Auctioneer Licensing**

**A.** The licensed Louisiana auctioneer acting as the supervisor for the apprentice auctioneer must hold the apprentice auctioneer's license. Under no circumstances is the apprentice auctioneer to have, display, or carry his *apprentice* license at any time.

**B.** When an apprentice auctioneer's employment with the supervising auctioneer is terminated for any reason, the supervising auctioneer shall immediately deliver or send by registered mail the apprentice auctioneer's license to the board. He must sign the back and indicate the termination date. Such apprentice auctioneer shall not engage in any auctioneer activity until he receives a new license (for the expired term) bearing the name, address, and current license number of his new ~~employer~~ *supervising auctioneer*. No more than one license shall be issued to any apprentice auctioneer for the same period of time.

**C.** There will be just one licensed auctioneer supervisor at a time for an apprentice auctioneer. Should the apprentice auctioneer practice under another licensed auctioneer without a release from the first, *the apprentice auctioneer's* license shall be suspended.

**D.** There will be an additional charge of \$25 for any new license *for the apprentice*.

**E.** *The length of time that an applicant shall work as an apprentice auctioneers shall be 12 months. During that period of time the apprentice auctioneer shall work and be directly involved in at least ten auctions.*

**E.** *The apprentice auctioneer shall receive training in the following areas:*

- 1.** *Bid Calling.*
- 2.** *Handling consignments, and all related matters, including but not limited to consignment contracts, the assignment of lot numbers, and the establishment of conditions and reserves for consignments.*
- 3.** *Working at an auction as an assistant or ring man.*

4. *Clerking at the auction, including writing sale tickets, keeping track of all sales, and any related paper work.*

5. *Closing out the auction and maintaining and balancing auction account records.*

6. *Collecting and remitting sales taxes to the proper government entities.*

7. *The establishment and use of Escrow Accounts.*

8. *Settlements, closeouts and payments to consignors.*

9. *Advertising.*

10. *Software commonly used in auctions.*

E. Any person acting as an apprentice auctioneer within the meaning of these rules and regulations without a license and any person who violates these rules and regulations shall be subject to revocation of his license. The Louisiana auctioneer serving as sponsoring supervisor is also subject to ~~revocation~~ discipline of his license should his apprentice auctioneer violate these rules and regulations.

F. The license of an apprentice auctioneer shall be automatically suspended upon the revocation or suspension of the license of the Louisiana auctioneer who is his sponsoring supervisor; however, the apprentice auctioneer may retain his license by transferring to the employment supervision of another Louisiana licensed auctioneer within 21 days of the effective date of such revocation or suspension. If the apprentice auctioneer does not transfer to another Louisiana licensed auctioneer within the 21 days, he must start his one-year apprentice program over.

G. This subsection of the rules and regulations specifically prohibits the apprentice auctioneer from calling an auction unless the licensed auctioneer serving as his supervisor is on the premises at all times. If he does call an auction outside the presence of his supervising auctioneer, his license will be suspended.

H. Upon completion of the one-year apprentice program, the apprentice auctioneer may apply to take the Louisiana auctioneer's examination and become licensed in the state of Louisiana. He must submit the following in order to be considered for administration of the test:

1. A completed application for license as an auctioneer;
2. An oath of office;
3. The posting of a \$10,000 surety bond, made payable to the Louisiana Auctioneers Licensing Board (see §1201);
4. ~~Irrevocable consent form (out-of-state applicants only);~~
5. A certified copy of voter registration showing present residence;
6. A certified check, money order, or cash in the amount of \$300 (this includes the \$150 license fee, the \$75 application fee, and \$75 examination fee);
7. A form signed by the supervising Louisiana licensed auctioneer stating that the apprentice did serve under him for the term of *twelve months and during which he conducted at least ten auctions. Evidence of the number of auctions, along with the place, date and time and the*

*type of work done by the apprentice shall be established by completion of a form to be provided by the Board.*

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3112.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Auctioneer Licensing Board, LR 11:338 (April 1985), amended by the Department of Economic Development, Auctioneers Licensing Board, LR 14:786 (November 1988), amended by the Office of the Governor, Auctioneers Licensing Board, LR 31:1326 (June 2005).