

1 AN ACT relating to auctions.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Auction License Act is amended by
5 changing Section 10-1 as follows:

6 (225 ILCS 407/10-1)

7 (Section scheduled to be repealed on January 1, 2010)

8 Sec. 10-1. Necessity of license; exemptions.

9 (a) It is unlawful for any person, corporation, limited
10 liability company, partnership, or other entity to conduct an
11 auction, provide an auction service, hold himself or herself
12 out as an auctioneer, or advertise his or her services as an
13 auctioneer in the State of Illinois without a license issued
14 by OBRE under this Act, except at:

15 (1) an auction conducted solely by or for a
16 not-for-profit organization for charitable purposes;

17 (2) an auction conducted by the owner of the
18 property, real or personal;

19 (3) an auction for the sale or lease of real
20 property conducted by a licensee under the Real Estate
21 License Act, or its successor Acts, in accordance with
22 the terms of that Act; and

23 (4) an auction conducted by a business registered
24 as a market agency under the federal Packers and
25 Stockyards Act (7 U.S.C. 181 et seq.) or under the
26 Livestock Auction Market Law.

27 (b) Nothing in this Act shall be construed to apply to a
28 vehicle dealer licensed by the Secretary of State of
29 Illinois, or to any employee of the licensee, who is a
30 resident of the State of Illinois, while the employee is
31 acting in the regular scope of his or her employment for the

1 licensee, or to sales by or through the licensee.

2 (b-5) Nothing in this Act shall be construed to apply to
3 a vehicle auctioneer licensed by the Secretary of State, or
4 to any employee of the licensee while the employee is acting
5 in the regular scope of his or her employment for the
6 licensee, or to the auction firm engaged in the business of
7 auctioning vehicles.

8 (c) Nothing in this Act shall be construed to prohibit a
9 person under the age of 18 from selling property under \$250
10 in value while under the direct supervision of a licensed
11 auctioneer.

12 (Source: P.A. 91-603, eff. 1-1-00.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.