

§286. Exemptions to licensing

1. Personal use. A person does not require a license in order to auction personal or real property that the person has maintained for that person's use or personal property that the person's parents, spouse or children have maintained for their own use.

[PL 1999, c. 146, §5 (NEW).]

2. Charitable, educational, religious or nonprofit organizations. This chapter does not apply to individuals who conduct a sale or auction for a charitable, educational, religious or other nonprofit organization as long as the nonprofit organization retains the total amount of the proceeds, with the exception of advertising fees, and the person conducting the sale or auction receives no fee for services.

[PL 1999, c. 146, §5 (NEW).]

3. Sheriffs, tax collectors, executors and administrators. This chapter does not apply to sheriffs or their deputies, constables, tax collectors, executors, administrators or any other officers authorized to sell property by order of any court.

[PL 1999, c. 146, §5 (NEW).]

4. Pedigreed animals. This chapter does not prohibit any person employed by the owner of pedigreed animals from selling those animals at public auction.

[PL 1999, c. 146, §5 (NEW).]

5. Mortgage foreclosure sales. This chapter does not apply to any individual conducting a mortgage foreclosure sale.

[PL 2015, c. 147, §6 (AMD).]

6. Tax-acquired property. This chapter does not apply to the sale by or on behalf of a municipality of any real or personal property acquired by that municipality for nonpayment of taxes.

[PL 1999, c. 146, §5 (NEW).]

7. Assistants. This chapter does not apply to a person assisting the auctioneer in conducting the auction sale if the auctioneer is physically present and assumes full responsibility for the auction sale. The assistant may not be a person who has had an auctioneer license denied, suspended or revoked in this State or in any other state.

[PL 2011, c. 286, Pt. C, §1 (AMD).]

8. Contracted Internet services. This chapter does not apply to an individual who takes possession of goods pursuant to a contract for the exclusive purpose of selling those goods over the Internet, unless otherwise licensed under this chapter.

[PL 2007, c. 61, §1 (AMD).]

SECTION HISTORY

PL 1999, c. 146, §5 (NEW). PL 2005, c. 349, §1 (AMD). PL 2007, c. 61, §1 (AMD). PL 2011, c. 286, Pt. C, §1 (AMD). PL 2015, c. 147, §6 (AMD).

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