



Senate Fiscal Agency
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BILL  ANALYSIS

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Senate Bills 476, 477, and 478 (as reported without amendment)
Sponsor: Senator Dave Hildenbrand
Committee: Regulatory Reform

CONTENT

Senate Bill 476 would repeal Article 29 of the Occupational Code, which governs the registration and regulation of auctioneers; provides for a Board of Auctioneers; and requires the Department of Licensing and Regulatory Affairs (LARA) to issue a registration as a registered auctioneer to an individual, or to the qualifying member of a legal entity, who meets certain criteria.

The bill also would delete a provision of the Code under which the term of office of a member of the Board of Auctioneers begins on October 1.

Senate Bill 477 would repeal Section 28 of the State License Fee Act. That section sets fees for a person registered or seeking registration as an auctioneer under Article 29 of the Occupational Code, as shown in the table below.

Fee Type	Amount
Application processing for registered auctioneer	\$50
Examination fee for registered auctioneer	\$50
Registration fee, per year, for an individual	\$200
Registration fee, per year, for a firm	\$200

Senate Bill 478 would amend the Natural Resources and Environmental Protection Act to delete a reference to an auctioneer as defined in Article 29 of the Occupational Code. Part 821 (Snowmobiles) of the Act defines "dealer" as any person engaged in the sale, lease, or rental of snowmobiles as a regular business, other than an auctioneer as that term is defined in Article 29 of the Occupational Code. The bill would delete that exclusion of an auctioneer.

Senate Bills 477 and 478 are tie-barred to Senate Bill 476.

MCL 339.303a et al. (S.B. 476)
338.2228 (S.B. 477)
324.82101 (S.B. 478)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would have a positive fiscal impact on the Department of Licensing and Regulatory Affairs and no fiscal impact on local units of government. The Department has indicated in the past that the regulation of auctioneers is not self-supporting, meaning license fees do

not cover LARA's costs related to issuing the licenses. According to a report from LARA, in fiscal year 2011-12, the costs of licensing 55 auctioneers exceeded revenue by approximately \$1,200. By removing the requirement that auctioneers be licensed, the bills would have a small, but positive fiscal impact on LARA.

Date Completed: 10-4-13

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.