

1983 WL 181840 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 8, 1983

*1 Mr. Robert Rainey
4 Jackson Street
Great Falls, South Carolina 29055

Dear Mr. Rainey:

I was happy for the opportunity to meet with you recently and to discuss with you your question concerning obtaining a South Carolina auctioneer's license. You stated that you currently have an apprentice auctioneer's license issued by the South Carolina Auctioneer's Commission. However, you have not had that apprentice license during the entire past two years. You indicated further that you had been advised by the State Auctioneer's Commission that you could not make application for an auctioneer's license until you had served as an apprentice auctioneer for the two preceding years prior to your application, or until you have completed the equivalent of at least 80 hours of classroom instruction in a course in auctioneering at an institution approved by the Commission.

The law on this question is set out in [§ 40-6-80, Code of Laws of South Carolina](#), 1976 (as amended). I have had a member of my staff review that statute and it clearly provides that, if a person has not completed the classroom instruction at an approved auctioneer's school, then that person must hold an apprentice auctioneer's license for the entire time during the two years preceding his application for an auctioneer's license. I can find no other provision in the law that would allow a person to make application for a regular auctioneer's license without meeting either of the above two requirements. Thus, it would appear that it would be necessary for you to complete two full years of service as an apprentice auctioneer, or else complete the school requirements set out in the statute, before you may apply for an auctioneer's license.

Sincerely

T. Travis Medlock
Attorney General

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