

TITLE 812 INDIANA AUCTIONEER COMMISSION

ARTICLE 1. GENERAL PROVISIONS

[Rule 1.](#)

Powers of Commission; Permitted Activities; License Procedure; Fees

[Rule 2.](#)

Convictions of Concern

Rule 1. Powers of Commission; Permitted Activities; License Procedure; Fees

[812 IAC 1-1-1](#)

Applications and other forms; availability

[812 IAC 1-1-2](#)

Time for holding examinations; individual examinations not permitted

[812 IAC 1-1-3](#)

Receipt of application before examination; fee; failure to appear at examination

[812 IAC 1-1-3.1](#)

Completing education prior to examination

[812 IAC 1-1-4](#)

Confidentiality and security of examinations

[812 IAC 1-1-5](#)

License fee (Repealed)

[812 IAC 1-1-6](#)

Review of examination by applicant; petition for review (Repealed)

[812 IAC 1-1-7](#)

Failure to pass examination; effect (Repealed)

[812 IAC 1-1-8](#)

Auction house or auction company license application; forfeiture of fee when application incomplete (Repealed)

[812 IAC 1-1-9](#)

Renewal of license (Repealed)

[812 IAC 1-1-10](#)

Reinstatement after expiration (Repealed)

[812 IAC 1-1-11](#)

Lapse of year; reexamination (Repealed)

[812 IAC 1-1-12](#)

Lapse of license due to military service; renewal

[812 IAC 1-1-13](#)

Notice of operation or discontinuance of auction company by licensed auctioneer (Repealed)

[812 IAC 1-1-14](#)

Notice of operation or discontinuance of auction company by auction house licensee (Repealed)

[812 IAC 1-1-15](#)

Auction company licensee operating additional auction companies or auction houses; notice to commissioner (Repealed)

[812 IAC 1-1-16](#)

Change of licensee address or business or trade name; notice (Repealed)

[812 IAC 1-1-16.1](#)

Change in ownership; auction company (Repealed)

[812 IAC 1-1-17](#)

Temporary permits (Repealed)

[812 IAC 1-1-18](#)

Reciprocal license application

[812 IAC 1-1-19](#)

Contracts; specifications; retention of original

[812 IAC 1-1-20](#)

Real estate sales; powers and duties of auctioneers

[812 IAC 1-1-21](#)

Sign on real estate to be auctioned; consent of owner

[812 IAC 1-1-22](#)

Summary of receipts and disbursements; submission to seller

[812 IAC 1-1-23](#)

Knowledge of current market conditions; duty of auctioneer

[812 IAC 1-1-24](#)

Unprofessional conduct

[812 IAC 1-1-25](#)

Practice of law prohibited

[812 IAC 1-1-26](#)

Self-dealing prohibited; exemption

[812 IAC 1-1-27](#)

Auctioneer-client relationship; disclosure of costs and services

[812 IAC 1-1-28](#)

Fees for services (Repealed)

[812 IAC 1-1-29](#)

Advertising by auctioneer (Repealed)

[812 IAC 1-1-30](#)

Forms used by auctioneers (Repealed)

[812 IAC 1-1-31](#)

Student auctioneers; supervision of practice

[812 IAC 1-1-32](#)

Complaints

[812 IAC 1-1-33](#)

Contract disputes; commission without jurisdiction to settle; written contracts required

[812 IAC 1-1-34](#)

Auction procedure; completion of sale; sale without reserve

[812 IAC 1-1-35](#)

Fees charged by commission

[812 IAC 1-1-36](#)

Reconsideration of license after revocation (Repealed)

[812 IAC 1-1-37](#)

Investigation of trust accounts

[812 IAC 1-1-38](#)

Advertising (Repealed)

812 IAC 1-1-39	Posting auction sign
812 IAC 1-1-40	Auctioneer; records and accounts
812 IAC 1-1-41	Auction company; records and accounts
812 IAC 1-1-42	Compliance with IC 26-1-6-107 (Repealed)
812 IAC 1-1-43	Violations; professional incompetence

812 IAC 1-1-1 Applications and other forms; availability

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-2-5](#)

Sec. 1. Applications and all other pertinent forms are available at the Indiana Auctioneer Commission, office of the Indiana Professional Licensing Agency, Indiana Government Center South, Indianapolis, Indiana, or will be mailed upon request of person seeking to be licensed as auctioneer or auction company. (*Indiana Auctioneer Commission; Rule 2; filed Oct 7, 1977, 3:25 p.m.: Rules and Regs. 1978, p. 166; filed Apr 2, 1993, 5:00 p.m.: 16 IR 1950; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); filed Mar 27, 2015, 4:19 p.m.: [20150422-IR-812140386FRA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#)*)

812 IAC 1-1-2 Time for holding examinations; individual examinations not permitted

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-2-5](#)

Sec. 2. Examinations will be held in Indianapolis, Indiana at such times and places as the commission may direct. Individual examinations are not permitted. (*Indiana Auctioneer Commission; Rule 3; filed Oct 7, 1977, 3:25 p.m.: Rules and Regs. 1978, p. 166; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); filed Jul 31, 2009, 8:37 a.m.: [20090826-IR-812080757FRA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#)*)

812 IAC 1-1-3 Receipt of application before examination; fee; failure to appear at examination

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-3-2](#)

Sec. 3. The completed application for examination and licensure as an auctioneer together with the fees under section 35(a)(1) and 35(a)(6) of this rule shall be received in the office of the commission at least seven (7) business days before an examination date. The applicant will be advised of the time and place of the examination upon receipt of the completed application. If the applicant does not appear at the initial examination for which he or she has been scheduled, the applicant will be rescheduled for the following scheduled examination. If the applicant fails to appear for the following scheduled examination, the application and fee shall be forfeited. (*Indiana Auctioneer Commission; Rule 4; filed Oct 7, 1977, 3:25 p.m.: Rules and Regs. 1978, p. 166; filed Mar 21, 1988, 1:30 p.m.: 11 IR 2869; errata, 11 IR 3921; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); filed Jul 31, 2009, 8:37 a.m.: [20090826-IR-812080757FRA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#)*)

812 IAC 1-1-3.1 Completing education prior to examination

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-3-2](#)

Sec. 3.1. Auctioneer applicants may apply for the examination prior to completing their eighty (80) hour prelicensure education. If they do so, they must submit proof of completing the course by presenting a certificate of completion at the examination

site prior to taking the examination. (*Indiana Auctioneer Commission; 812 IAC 1-1-3.1; filed Sep 17, 1998, 3:50 p.m.: 22 IR 453; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))*)

812 IAC 1-1-4 Confidentiality and security of examinations

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-2-5](#)

Sec. 4. Auctioneer license examinations are confidential tests. Examinations are designed and administered under conditions established to protect the security of the tests. (*Indiana Auctioneer Commission; Rule 5; filed Oct 7, 1977, 3:25 p.m.: Rules and Regs. 1978, p. 166; filed Apr 2, 1993, 5:00 p.m.: 16 IR 1950; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))*)

812 IAC 1-1-5 License fee (Repealed)

Sec. 5. (*Repealed by Indiana Auctioneer Commission; filed Jul 31, 2009, 8:37 a.m.: [20090826-IR-812080757FRA](#))*)

812 IAC 1-1-6 Review of examination by applicant; petition for review (Repealed)

Sec. 6. (*Repealed by Indiana Auctioneer Commission; filed Jul 31, 2009, 8:37 a.m.: [20090826-IR-812080757FRA](#))*)

812 IAC 1-1-7 Failure to pass examination; effect (Repealed)

Sec. 7. (*Repealed by Indiana Auctioneer Commission; filed Apr 2, 1993, 5:00 p.m.: 16 IR 1952*)

812 IAC 1-1-8 Auction house or auction company license application; forfeiture of fee when application incomplete (Repealed)

Sec. 8. (*Repealed by Indiana Auctioneer Commission; filed Apr 2, 1993, 5:00 p.m.: 16 IR 1952*)

812 IAC 1-1-9 Renewal of license (Repealed)

Sec. 9. (*Repealed by Indiana Auctioneer Commission; filed Nov 18, 1980, 8:55 am: 4 IR 52*)

812 IAC 1-1-10 Reinstatement after expiration (Repealed)

Sec. 10. (*Repealed by Indiana Auctioneer Commission; filed Nov 18, 1980, 8:55 am: 4 IR 52*)

812 IAC 1-1-11 Lapse of year; reexamination (Repealed)

Sec. 11. (*Repealed by Indiana Auctioneer Commission; filed Nov 18, 1980, 8:55 am: 4 IR 52*)

812 IAC 1-1-12 Lapse of license due to military service; renewal

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-3-2](#)

Sec. 12. Any licensed auctioneer who permits his license to lapse due to his entering the armed services or government service in connection with a war effort shall, upon presentation of satisfactory evidence of honorable discharge, be granted a renewal

of said license at the usual cost, without the penalty and without re-examination. (*Indiana Auctioneer Commission; Rule 13; filed Oct 7, 1977, 3:25 pm: Rules and Regs. 1978, p. 167; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#)*)

812 IAC 1-1-13 Notice of operation or discontinuance of auction company by licensed auctioneer (Repealed)

Sec. 13. (*Repealed by Indiana Auctioneer Commission; filed Nov 28, 2022, 10:20 a.m.: [20221228-IR-812220217FRA](#)*)

812 IAC 1-1-14 Notice of operation or discontinuance of auction company by auction house licensee (Repealed)

Sec. 14. (*Repealed by Indiana Auctioneer Commission; filed Mar 27, 2015, 4:19 p.m.: [20150422-IR-812140386FRA](#)*)

812 IAC 1-1-15 Auction company licensee operating additional auction companies or auction houses; notice to commissioner (Repealed)

Sec. 15. (*Repealed by Indiana Auctioneer Commission; filed Nov 18, 1980, 8:55 am: 4 IR 52*)

812 IAC 1-1-16 Change of licensee address or business or trade name; notice (Repealed)

Sec. 16. (*Repealed by Indiana Auctioneer Commission; filed Nov 28, 2022, 10:20 a.m.: [20221228-IR-812220217FRA](#)*)

812 IAC 1-1-16.1 Change in ownership; auction company (Repealed)

Sec. 16.1. (*Repealed by Indiana Auctioneer Commission; filed Nov 28, 2022, 10:20 a.m.: [20221228-IR-812220217FRA](#)*)

812 IAC 1-1-17 Temporary permits (Repealed)

Sec. 17. (*Repealed by Indiana Auctioneer Commission; filed Mar 27, 2015, 4:19 p.m.: [20150422-IR-812140386FRA](#)*)

812 IAC 1-1-18 Reciprocal license application

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-3-2](#)

Sec. 18. All individuals making application for an auctioneer license per reciprocal agreement shall submit with their application a letter of certification from the state board or commission of their state of domicile, certifying that they are duly licensed in said state, stating their residency, date of issuance and expiration of license. (*Indiana Auctioneer Commission; Rule 19; filed Oct 7, 1977, 3:25 pm: Rules and Regs. 1978, p. 168; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#)*)

812 IAC 1-1-19 Contracts; specifications; retention of original

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-6-4](#)

Sec. 19. (a) All contract agreements, or any authority to sell, shall show a definite date of contract and a definite date or dates of the sale, shall be in writing, made in duplicate, and one (1) copy given to the owner at the time of signing.

(b) A signature, contract, or other record relating to such transactions may not be denied legal effect, validity, or enforceability solely because it is in electronic form. (*Indiana Auctioneer Commission; Rule 20; filed Oct 7, 1977, 3:25 p.m.: Rules and Regs. 1978, p. 168; filed Nov 18, 1980, 8:55 a.m.: 4 IR 53; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted*

filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); filed Nov 28, 2022, 10:20 a.m.: [20221228-IR-812220217RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))

812 IAC 1-1-20 Real estate sales; powers and duties of auctioneers

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-6](#)

Sec. 20. A licensed auctioneer may advertise and sell real estate at auction. The licensee shall have an executed contract or agreement with the owner or seller containing the terms and conditions upon which licensee receives or accepts the real estate for sale at auction. The licensee shall conduct the bidding and announce the culmination thereof. No further acts necessary to transfer title to the real estate shall be performed by the licensee. (*Indiana Auctioneer Commission; Rule 21; filed Oct 7, 1977, 3:25 pm: Rules and Regs. 1978, p. 168; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: 20070808-IR-812070044RFA; readopted filed Nov 25, 2013, 9:20 a.m.: 20131225-IR-812130278RFA; readopted filed Nov 26, 2019, 3:42 p.m.: 20191225-IR-812190182RFA; readopted filed Feb 7, 2024, 10:04 a.m.: 20240306-IR-812230773RFA*)

812 IAC 1-1-21 Sign on real estate to be auctioned; consent of owner

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-6-4](#); [IC 25-6.1-6-5](#)

Sec. 21. An auctioneer and/or auction company licensee shall not place a sign on any property, offering it for sale, without the written consent of the owner. (*Indiana Auctioneer Commission; Rule 22; filed Oct 7, 1977, 3:25 pm: Rules and Regs. 1978, p. 168; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: 20070808-IR-812070044RFA; readopted filed Nov 25, 2013, 9:20 a.m.: 20131225-IR-812130278RFA; readopted filed Nov 26, 2019, 3:42 p.m.: 20191225-IR-812190182RFA; readopted filed Feb 7, 2024, 10:04 a.m.: 20240306-IR-812230773RFA*)

812 IAC 1-1-22 Summary of receipts and disbursements; submission to seller

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-6-2](#)

Sec. 22. Every auctioneer and/or auction company licensee shall deliver to the seller in every transaction wherein he acts as an auctioneer and/or auction company licensee a complete detailed summary showing all of the receipts and disbursements handled by such auctioneer and/or auction company licensee. (*Indiana Auctioneer Commission; Rule 23; filed Oct 7, 1977, 3:25 pm: Rules and Regs. 1978, p. 168; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: 20070808-IR-812070044RFA; readopted filed Nov 25, 2013, 9:20 a.m.: 20131225-IR-812130278RFA; readopted filed Nov 26, 2019, 3:42 p.m.: 20191225-IR-812190182RFA; readopted filed Feb 7, 2024, 10:04 a.m.: 20240306-IR-812230773RFA*)

812 IAC 1-1-23 Knowledge of current market conditions; duty of auctioneer

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-3-2](#); [IC 25-6.1-6-1](#)

Sec. 23. An auctioneer and/or licensee shall keep informed on current market conditions of real and personal property at all times in order to be in a position to advise and perform services for his clients to the best of his ability. (*Indiana Auctioneer Commission; Rule 24; filed Oct 7, 1977, 3:25 pm: Rules and Regs. 1978, p. 169; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: 20070808-IR-812070044RFA; readopted filed Nov 25, 2013, 9:20 a.m.: 20131225-IR-812130278RFA; readopted filed Nov 26, 2019, 3:42 p.m.: 20191225-IR-812190182RFA; readopted filed Feb 7, 2024, 10:04 a.m.: 20240306-IR-812230773RFA*)

812 IAC 1-1-24 Unprofessional conductAuthority: [IC 25-6.1-2-5](#)Affected: [IC 25-6.1-6-1](#); [IC 25-6.1-6-2](#)

Sec. 24. A licensee shall conduct professional activities in a professional manner that will reflect credit upon the licensee, the auction profession, and auctioneers. Unprofessional conduct includes, but is not limited to, a licensee's payment of compensation in money or other valuable thing to any person other than a licensee for the rendering of any service or the doing of any of the acts by this act forbidden to be rendered or performed by other than licensees. (*Indiana Auctioneer Commission; Rule 25; filed Oct 7, 1977, 3:25 p.m.: Rules and Regs. 1978, p. 169; filed Nov 18, 1980, 8:55 a.m.: 4 IR 54; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); filed Mar 27, 2015, 4:19 p.m.: [20150422-IR-812140386FRA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); filed Nov 28, 2022, 10:20 a.m.: [20221228-IR-812220217FRA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))*

812 IAC 1-1-25 Practice of law prohibitedAuthority: [IC 25-6.1-2-5](#)Affected: [IC 25-6.1-6-1](#)

Sec. 25. A licensee shall not engage in activities that constitute the practice of law and shall recommend that his clients seek the services of a lawyer when he deems it necessary. (*Indiana Auctioneer Commission; Rule 26; filed Oct 7, 1977, 3:25 pm: Rules and Regs. 1978, p. 169; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))*

812 IAC 1-1-26 Self-dealing prohibited; exemptionAuthority: [IC 25-6.1-2-5](#)Affected: [IC 25-6.1-6-1](#)

Sec. 26. A licensee shall refrain from buying or selling at his own auction for personal gain, unless disclosed to the seller. (*Indiana Auctioneer Commission; Rule 27; filed Oct 7, 1977, 3:25 pm: Rules and Regs. 1978, p. 169; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))*

812 IAC 1-1-27 Auctioneer-client relationship; disclosure of costs and servicesAuthority: [IC 25-6.1-2-5](#)Affected: [IC 25-6.1-6-1](#)

Sec. 27. A licensee shall preserve a professional, confidential relationship with his client, revealing estimated costs and services for conducting the auction. (*Indiana Auctioneer Commission; Rule 28; filed Oct 7, 1977, 3:25 pm: Rules and Regs. 1978, p. 169; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))*

812 IAC 1-1-28 Fees for services (Repealed)

Sec. 28. (*Repealed by Indiana Auctioneer Commission; filed Apr 2, 1993, 5:00 p.m.: 16 IR 1952*)

812 IAC 1-1-29 Advertising by auctioneer (Repealed)

Sec. 29. *(Repealed by Indiana Auctioneer Commission; filed Apr 2, 1993, 5:00 p.m.: 16 IR 1952)*

812 IAC 1-1-30 Forms used by auctioneers *(Repealed)*

Sec. 30. *(Repealed by Indiana Auctioneer Commission; filed Apr 2, 1993, 5:00 p.m.: 16 IR 1952)*

812 IAC 1-1-31 Student auctioneers; supervision of practice

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-2-5](#)

Sec. 31. The commission shall grant permission to auctioneer schools approved by the commission under 812 IAC 2 to allow their students, through the duration of the school, to practice and participate in the capacity of an auctioneer, under the supervision of their instructor. *(Indiana Auctioneer Commission; Rule 32; filed Oct 7, 1977, 3:25 p.m.: Rules and Regs. 1978, p. 169; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); filed Nov 28, 2022, 10:20 a.m.: [20221228-IR-812220217FRA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))*

812 IAC 1-1-32 Complaints

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-7-2](#)

Sec. 32. Except for [IC 25-6.1-7-2](#), all complaints filed concerning violations of [IC 25-6.1](#) and this title must be filed with the office of the attorney general, consumer protection division on forms furnished by the consumer protection division. *(Indiana Auctioneer Commission; Rule 33; filed Oct 7, 1977, 3:25 p.m.: Rules and Regs. 1978, p. 169; filed Apr 2, 1993, 5:00 p.m.: 16 IR 1951; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))*

812 IAC 1-1-33 Contract disputes; commission without jurisdiction to settle; written contracts required

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-6-5](#)

Sec. 33. The Commission is not a commission of arbitration and has no jurisdiction to settle disputes between parties concerning such matters of contract as the rates of commission, the division of commission, and similar matters. The statute requires, to avoid differences between parties that all agreements concerning auctions be reduced to writing at the earliest practical time. *(Indiana Auctioneer Commission; Rule 34; filed Oct 7, 1977, 3:25 pm: Rules and Regs. 1978, p. 169; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))*

812 IAC 1-1-34 Auction procedure; completion of sale; sale without reserve

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-2-5](#); [IC 25-6.1-6-1](#)

Sec. 34. Sale by Auction. (a) In a sale by auction if property being sold is put up in lots, each lot is the subject of a separate sale.

(b) A sale by auction is complete when the auctioneer so announces by the fall of the hammer or in any other customary manner. Where a bid is made while the hammer is falling in acceptance of a prior bid, the auctioneer may in his discretion reopen the bidding or declare the property sold under the bid on which the hammer was falling.

(c) Such a sale is with reserve unless the property being sold is in explicit terms put up without reserve. In an auction with reserve the auctioneer may withdraw the property being offered for sale at any time until he announces completion of the sale. In an auction without reserve, after an auctioneer calls for bids on property being offered for sale, such property cannot be withdrawn unless no bid is made within a reasonable time. In either case a bidder may retract his bid until the auctioneer's announcement of completion of the sale, but a bidder's retraction does not revive any previous bid.

(d) If the auctioneer knowingly receives a bid on the seller's behalf or the seller makes or procures such a bid, and notice has not been given that liberty for such bidding is reserved, the buyer may at his option avoid the sale or take the property at the price of the last good faith bid prior to the completion of the sale. (*Indiana Auctioneer Commission; Rule 35; filed Oct 7, 1977, 3:25 pm: Rules and Regs. 1978, p. 169; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#)*)

812 IAC 1-1-35 Fees charged by commission

Authority: [IC 25-1-8-2](#); [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-3-5](#)

Sec. 35. (a) The following fees shall be charged by and paid to the commission by applicants and licensees:

- | | |
|---|------|
| (1) Examination and reexamination as an auctioneer | \$35 |
| (2) Application for licensure as an auctioneer per examination | \$70 |
| (3) Application for licensure as an auctioneer per reciprocal agreement | \$70 |
| (4) Application for licensure as an auction company | \$70 |
| (5) Quadrennial renewal of registration as an auctioneer | \$70 |
| (6) Quadrennial renewal of registration as an auction company | \$70 |
| (7) License renewal reinstatement fee | \$50 |
| (8) Duplicate license or pocket card | \$10 |
| (9) Certification of status of license | \$10 |

(b) Every auctioneer and auction company holding a license issued by the commission shall renew their license quadrennially on or before February 28 of the fourth even-numbered year. (*Indiana Auctioneer Commission; Rule 36; filed Oct 7, 1977, 3:25 p.m.: Rules and Regs. 1978, p. 170; filed Nov 18, 1980, 8:55 a.m.: 4 IR 52; filed Mar 21, 1988, 1:30 p.m.: 11 IR 2870; filed Jun 14, 1996, 3:00 p.m.: 19 IR 3098; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); filed Jun 26, 2009, 2:17 p.m.: [20090722-IR-812080758FRA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); filed Mar 27, 2015, 4:19 p.m.: [20150422-IR-812140386FRA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#)*)

812 IAC 1-1-36 Reconsideration of license after revocation (*Repealed*)

Sec. 36. (*Repealed by Indiana Auctioneer Commission; filed Jul 31, 2009, 8:37 a.m.: [20090826-IR-812080757FRA](#)*)

812 IAC 1-1-37 Investigation of trust accounts

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-6-6](#)

Sec. 37. Each licensee shall make available for inspection and copying the detailed record required by [IC 25-6.1-6-6](#)(b) upon request by the commission for investigative and compliance purposes. (*Indiana Auctioneer Commission; 812 IAC 1-1-37; filed Sep 25, 1990, 3:25 p.m.: 14 IR 288; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#)*)

812 IAC 1-1-38 Advertising (*Repealed*)

Sec. 38. (Repealed by Indiana Auctioneer Commission; filed Nov 28, 2022, 10:20 a.m.: [20221228-IR-812220217FRA](#))

812 IAC 1-1-39 Posting auction sign

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-2](#)

Sec. 39. (a) Each licensee shall jointly be responsible for posting a sign at either the main entrance of the auction, the place of registration, or by the cashier that states the following:

- (1) The name and license number of all auctioneers involved in the auction.
- (2) The name and license number of all auction companies involved in the auction.
- (3) That the persons identified in this subsection are licensed by the Indiana auctioneer commission.

(b) The sign required under subsection (a) shall be no smaller than twenty-four (24) inches by thirty (30) inches, and the letters and numbers appearing on the sign must be of adequate size so that they may be readily seen by an individual with normal vision when viewing them. (Indiana Auctioneer Commission; 812 IAC 1-1-39; filed Apr 2, 1993, 5:00 p.m.: 16 IR 1951; filed Oct 16, 2000, 10:17 a.m.: 24 IR 687; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); filed Mar 27, 2015, 4:19 p.m.: [20150422-IR-812140386FRA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))

812 IAC 1-1-40 Auctioneer; records and accounts

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-6](#)

Sec. 40. (a) The requirements of [IC 25-6.1-6-1](#), [IC 25-6.1-6-2](#), and [IC 25-6.1-6-3](#) apply to auctioneers conducting auctions for auction companies.

- (b) The records and accounts required under [IC 25-6.1-6-3](#) shall include the following:
- (1) Name, license number, and address of auction company.
 - (2) Date of sale.
 - (3) Location of sale.

(Indiana Auctioneer Commission; 812 IAC 1-1-40; filed Apr 2, 1993, 5:00 p.m.: 16 IR 1952; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); filed Mar 27, 2015, 4:19 p.m.: [20150422-IR-812140386FRA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))

812 IAC 1-1-41 Auction company; records and accounts

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-6.1-6-3](#)

Sec. 41. Each auction company licensee, in addition to the requirements under [IC 25-6.1-6-3](#), shall keep and maintain for a period of not less than four (4) years the:

- (1) name;
- (2) license number;
- (3) address; and
- (4) date of auction sale;

of all auctioneers employed to conduct the auctions. (Indiana Auctioneer Commission; 812 IAC 1-1-41; filed Apr 2, 1993, 5:00 p.m.: 16 IR 1952; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); filed Jul 31, 2009, 8:37 a.m.: [20090826-IR-812080757FRA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); filed Mar 27, 2015, 4:19 p.m.: [20150422-IR-812140386FRA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))

812 IAC 1-1-42 Compliance with [IC 26-1-6-107](#) (Repealed)

Sec. 42. (Repealed by Indiana Auctioneer Commission; filed Jul 31, 2009, 8:37 a.m.: [20090826-IR-812080757FRA](#))

812 IAC 1-1-43 Violations; professional incompetence

Authority: [IC 25-6.1-2-5](#)

Affected: [IC 25-1-11](#)

Sec. 43. Violations of sections 13, 14, 16, 16.1, 19 through 34, and 38 through 43 of this rule shall be considered professional incompetence under [IC 25-1-11](#) et seq. (Indiana Auctioneer Commission; 812 IAC 1-1-43; filed Apr 2, 1993, 5:00 p.m.: 16 IR 1952; readopted filed May 22, 2001, 9:57 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:00 p.m.: [20070808-IR-812070044RFA](#); filed Jul 31, 2009, 8:37 a.m.: [20090826-IR-812080757FRA](#); readopted filed Nov 25, 2013, 9:20 a.m.: [20131225-IR-812130278RFA](#); readopted filed Nov 26, 2019, 3:42 p.m.: [20191225-IR-812190182RFA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))

Rule 2. Convictions of Concern

[812 IAC 1-2-1](#)

Scope

[812 IAC 1-2-2](#)

Issuance of license

[812 IAC 1-2-3](#)

Authority to issue license on probation

[812 IAC 1-2-4](#)

Convictions of concern

[812 IAC 1-2-5](#)

Convictions of concern in another jurisdiction

[812 IAC 1-2-6](#)

Prelicensure determinations; fee

812 IAC 1-2-1 Scope

Authority: [IC 25-1-1.1-6](#); [IC 25-6.1-2-5](#)

Affected: [IC 25-1-1.1-6](#); [IC 25-6.1](#)

Sec. 1. This rule implements [IC 25-1-1.1-6](#) regarding convictions of concern that may disqualify an individual for licensure by the Indiana auctioneer commission, and includes in section 4 of this rule an explicit list of crimes that may disqualify an individual from receiving a license under [IC 25-6.1](#). (Indiana Auctioneer Commission; 812 IAC 1-2-1; filed Aug 29, 2023, 9:26 a.m.: [20230927-IR-812230046FRA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))

812 IAC 1-2-2 Issuance of license

Authority: [IC 25-1-1.1-6](#); [IC 25-6.1-2-5](#)

Affected: [IC 25-1-1.1-6](#); [IC 25-6.1](#)

Sec. 2. An applicant for licensure who has a conviction of concern may still be granted a license based on the criteria stated in [IC 25-1-1.1-6](#)(h). (Indiana Auctioneer Commission; 812 IAC 1-2-2; filed Aug 29, 2023, 9:26 a.m.: [20230927-IR-812230046FRA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))

812 IAC 1-2-3 Authority to issue license on probation

Authority: [IC 25-1-1.1-6](#); [IC 25-6.1-2-5](#)

Affected: [IC 25-1-1.1-6](#); [IC 25-1-11-19](#); [IC 25-6.1](#)

Sec. 3. This rule and [IC 25-1-1.1-6](#) do not limit the authority of the Indiana auctioneer commission to issue a license on probation if appropriate under [IC 25-1-11-19](#) or any other applicable statute. (Indiana Auctioneer Commission; 812 IAC 1-2-3; filed Aug 29, 2023, 9:26 a.m.: [20230927-IR-812230046FRA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))

812 IAC 1-2-4 Convictions of concern

Authority: [IC 25-1-1.1-6](#); [IC 25-6.1-2-5](#)

Affected: [IC 6-3-6-11](#); [IC 7.1-5-1-3](#); [IC 7.1-5-7-8](#); [IC 9-26-1-1.1](#); [IC 9-30-5-4](#); [IC 9-30-5-5](#); [IC 11-8-8-17](#); [IC 11-8-8-18](#); [IC 16-42-19](#); [IC 25-2.1](#); [IC 25-6.1](#); [IC 25-26](#); [IC 35](#)

Sec. 4. The following are convictions of concern that may disqualify an applicant from licensure:

- (1) Crimes involving sexual acts that can be considered without respect to age of conviction as follows:
 - (A) Child molesting ([IC 35-42-4-3](#)).
 - (B) Child seduction ([IC 35-42-4-7](#)).
 - (C) Criminal deviate conduct ([IC 35-42-4-2](#)) (before its repeal).
 - (D) Incest ([IC 35-46-1-3](#)).
 - (E) Making an unlawful proposition ([IC 35-45-4-3](#)).
 - (F) Prostitution ([IC 35-45-4-2](#)).
 - (G) Rape ([IC 35-42-4-1](#)).
 - (H) Sexual misconduct with a minor ([IC 35-42-4-9\(a\)](#)).
- (2) Crimes of violence that can be considered without respect to age of conviction as follows:
 - (A) Aggravated battery ([IC 35-42-2-1.5](#)).
 - (B) Attempted murder ([IC 35-41-5-1](#)).
 - (C) Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony ([IC 35-43-2-1](#)).
 - (D) Child exploitation as a Level 5 felony under [IC 35-42-4-4\(b\)](#) or a Level 4 felony under [IC 35-42-4-4\(c\)](#).
 - (E) Child molesting ([IC 35-42-4-3](#)).
 - (F) Criminal deviate conduct ([IC 35-42-4-2](#)) (before its repeal).
 - (G) Involuntary manslaughter ([IC 35-42-1-4](#)).
 - (H) Kidnapping ([IC 35-42-3-2](#)).
 - (I) Murder ([IC 35-42-1-1](#)).
 - (J) Operating a vehicle while intoxicated. Penalties; death or catastrophic injury; death of a law enforcement animal ([IC 9-30-5-5](#)).
 - (K) Operating a vehicle while intoxicated. Classification of offense; serious bodily injury ([IC 9-30-5-4](#)).
 - (L) Rape ([IC 35-42-4-1](#)).
 - (M) Reckless homicide ([IC 35-42-1-5](#)).
 - (N) Resisting law enforcement ([IC 35-44.1-3-1](#)).
 - (O) Robbery ([IC 35-42-5-1](#)).
 - (P) Sexual misconduct with a minor as a Level 1 felony under [IC 35-42-4-9\(a\)\(2\)](#) or a Level 2 felony under [IC 35-42-4-9\(b\)\(2\)](#).
 - (Q) Unlawful possession of firearm by serious violent felon ([IC 35-47-4-5](#)).
 - (R) Voluntary manslaughter ([IC 35-42-1-3](#)).
- (3) Agricultural terrorism ([IC 35-47-12-2](#)) (before its repeal) or [IC 35-46.5-2-2](#).
- (4) Arson ([IC 35-43-1-1](#)).
- (5) Assisting a criminal ([IC 35-44.1-2-5](#)).
- (6) Assisting suicide ([IC 35-42-1-2.5](#)).
- (7) Attempt under [IC 35-41-5-1](#) to commit an offense listed in this section.
- (8) Attempting to purchase handgun by ineligible person ([IC 35-47-2.5-15](#)) (before its repeal).
- (9) Attendance at fighting contest ([IC 35-46-3-10](#)).
- (10) Auto theft ([IC 35-43-4-2.5](#)) (before its repeal).
- (11) Battery ([IC 35-42-2-1](#)).
- (12) Bestiality ([IC 35-46-3-14](#)).
- (13) Burglary ([IC 35-43-2-1](#)).
- (14) Carjacking ([IC 35-42-5-2](#)) (before its repeal).
- (15) Carrying a handgun without being licensed; exceptions; person convicted of domestic battery ([IC 35-47-2-1](#)).
- (16) Check deception ([IC 35-43-5-5](#)) (before its repeal).

- (17) Check fraud ([IC 35-43-5-12](#)) (before its repeal).
- (18) Child exploitation; possession of child pornography; exemptions; defenses ([IC 35-42-4-4](#)).
- (19) Child sexual trafficking ([IC 35-42-3.5-1.3](#)).
- (20) Child solicitation ([IC 35-42-4-6](#)).
- (21) Computer trespass; computer hoarding programs ([IC 35-43-2-3](#)).
- (22) Conspiracy under [IC 35-41-5-2](#) to commit an offense listed in this section.
- (23) Contributing to the delinquency of a minor ([IC 35-46-1-8](#)).
- (24) Conversion ([IC 35-43-4-3](#)).
- (25) Counterfeiting; false or fraudulent sales receipts; forgery; application fraud ([IC 35-43-5-2](#)).
- (26) Criminal confinement ([IC 35-42-3-3](#)).
- (27) Criminal organization recruitment ([IC 35-45-9-5](#)).
- (28) Criminal recklessness; element of hazing; liability barred for good faith report or judicial participation ([IC 35-42-2-2](#)).
- (29) Criminal stalking ([IC 35-45-10-5](#)).
- (30) Criminal transfer of a firearm ([IC 35-47-2.5-16](#)).
- (31) Criminal trespass; denial of entry; denial by posting with purple marks; permission to enter; exceptions ([IC 35-43-2-2](#)).
- (32) Cruelty to a law enforcement animal ([IC 35-46-3-11](#)).
- (33) Cruelty to a search and rescue dog ([IC 35-46-3-11.3](#)).
- (34) Cruelty to a service animal ([IC 35-46-3-11.5](#)).
- (35) Dealing in a controlled substance by a practitioner ([IC 35-48-4-1.5](#)).
- (36) Dealing in a controlled substance resulting in death ([IC 35-42-1-1.5](#)).
- (37) Dealing in a counterfeit substance ([IC 35-48-4-5](#)).
- (38) Dealing in a schedule I, II, or III controlled substance ([IC 35-48-4-2](#)).
- (39) Dealing in a schedule IV controlled substance ([IC 35-48-4-3](#)).
- (40) Dealing in a schedule V controlled substance ([IC 35-48-4-4](#)).
- (41) Dealing in a substance represented to be a controlled substance ([IC 35-48-4-4.5](#)) (before its repeal).
- (42) Dealing in a synthetic drug or synthetic drug lookalike substance ([IC 35-48-4-10.5](#)) (before its repeal).
- (43) Dealing in cocaine or narcotic drug ([IC 35-48-4-1](#)).
- (44) Dealing in marijuana, hash oil, hashish, or salvia ([IC 35-48-4-10](#)).
- (45) Dealing in methamphetamine ([IC 35-48-4-1.1](#)).
- (46) Dealing in paraphernalia ([IC 35-48-4-8.5](#)).
- (47) Deception ([IC 35-43-5-3](#)).
- (48) Disrupting operation of aircraft; Class B felony ([IC 35-47-6-1.6](#)).
- (49) Dissemination of matter or conducting performance harmful to minors ([IC 35-49-3-3](#)).
- (50) Distribution of regulated explosives to persons convicted of felony ([IC 35-47.5-5-4](#)).
- (51) Domestic battery ([IC 35-42-2-1.3](#)).
- (52) Dumping controlled substance waste ([IC 35-48-4-4.1](#)).
- (53) Duties of driver of motor vehicle involved in accident; sentencing ([IC 9-26-1-1.1](#)).
- (54) Evasion of tax; offenses; prosecution ([IC 6-3-6-11](#)).
- (55) Exploitation of dependent or endangered adult; financial exploitation of endangered adult; violation classification ([IC 35-46-1-12](#)).
- (56) False government issued identification ([IC 35-43-5-2.5](#)).
- (57) Feticide ([IC 35-42-1-6](#)).
- (58) Firearm, explosive, or deadly weapon; possession in commercial or chartered aircraft ([IC 35-47-6-1](#)).
- (59) Fraud ([IC 35-43-5-4](#)).
- (60) Fraud on financial institutions ([IC 35-43-5-8](#)) (before its repeal).
- (61) Harassment; "obscene message" defined ([IC 35-45-2-2](#)).
- (62) Human trafficking ([IC 35-42-3.5-1.4](#)).
- (63) Inappropriate communication with a child ([IC 35-42-4-13](#)).
- (64) Insurance fraud ([IC 35-43-5-7.2](#)).
- (65) Interference with custody ([IC 35-42-3-4](#)).

- (66) Invasion of privacy; offense; penalties ([IC 35-46-1-15.1](#)).
- (67) Manufacture of paraphernalia ([IC 35-48-4-8.1](#)).
- (68) Manufacturing methamphetamine ([IC 35-48-4-1.2](#)).
- (69) Medicaid fraud ([IC 35-43-5-7.1](#)) (before its repeal).
- (70) Money laundering; defenses ([IC 35-45-15-5](#)).
- (71) Neglect of a dependent; child selling ([IC 35-46-1-4](#)).
- (72) Nitrous oxide distribution; nonmedical purposes ([IC 35-46-6-3](#)).
- (73) Offense against computer users ([IC 35-43-1-8](#)).
- (74) Offense against intellectual property ([IC 35-43-1-7](#)).
- (75) Offenses concerning Social Security numbers ([IC 35-44.2-4-2](#)).
- (76) Offenses relating to registration labeling and prescription forms ([IC 35-48-4-14](#)).
- (77) Operating a vehicle while intoxicated ([IC 9-30-5](#)).
- (78) Participation in criminal organization; offense ([IC 35-45-9-3](#)).
- (79) Possession of a controlled substance or controlled substance analog; obtaining a schedule V controlled substance ([IC 35-48-4-7](#)).
- (80) Possession of animal fighting paraphernalia ([IC 35-46-3-8.5](#)).
- (81) Possession of cocaine or narcotic drug ([IC 35-48-4-6](#)).
- (82) Possession of marijuana, hash oil, hashish, or salvia ([IC 35-48-4-11](#)).
- (83) Possession of methamphetamine ([IC 35-48-4-6.1](#)).
- (84) Possession of paraphernalia ([IC 35-48-4-8.3](#)).
- (85) Possession or sale of drug precursors ([IC 35-48-4-14.5](#)).
- (86) Promoting an animal fighting contest ([IC 35-46-3-9.5](#)).
- (87) Promotion of human labor trafficking ([IC 35-42-3.5-1](#)).
- (88) Promotion of human sexual trafficking ([IC 35-42-3.5-1.1](#)).
- (89) Public indecency ([IC 35-45-4-1](#)).
- (90) Public intoxication prohibited; failure to enforce by a law enforcement officer ([IC 7.1-5-1-3](#)).
- (91) Purchase or possession of animals for fighting contests ([IC 35-46-3-8](#)).
- (92) Registration violations; penalty ([IC 11-8-8-17](#)).
- (93) Residential entry ([IC 35-43-2-1.5](#)).
- (94) Sale, distribution, or exhibition of obscene matter ([IC 35-49-3-1](#)).
- (95) Sale to minors prohibited; furnishing property for the purpose of enabling minors to consume alcohol prohibited ([IC 7.1-5-7-8](#)).
- (96) Sex offender Internet offense ([IC 35-42-4-12](#)).
- (97) Sex offender residency restrictions ([IC 35-42-4-11](#)).
- (98) Sexual battery ([IC 35-42-4-8](#)).
- (99) Sexual misconduct with a service provider ([IC 35-44.1-3-10](#)).
- (100) Sexually violent predator; duty to notify ([IC 11-8-8-18](#)).
- (101) Strangulation ([IC 35-42-2-9](#)).
- (102) Stun guns; purchase, possession, and sale; use in commission of crime; use on law enforcement officer ([IC 35-47-8-5](#)).
- (103) Synthetic drug or synthetic drug lookalike substance ([IC 35-48-4-11.5](#)) (before its repeal).
- (104) Tampering with a water supply; poisoning ([IC 35-43-1-5](#)).
- (105) Terrorism ([IC 35-47-12-1](#) (before its repeal) or [IC 35-46.5-2-1](#)).
- (106) Terroristic mischief ([IC 35-47-12-3](#) (before its repeal) or [IC 35-46.5-2-3](#)).
- (107) Theft ([IC 35-43-4-2](#)).
- (108) Unlawful employment by a sexual predator ([IC 35-42-4-10](#)).
- (109) Unlawful entry of school property by a serious sex offender ([IC 35-42-4-14](#)).
- (110) Unlawful delivery, manufacture, distribution, or possession of a substance represented to be a controlled substance; factors ([IC 35-48-4-4.6](#)).
- (111) Unlawful possession of a firearm by a domestic batterer ([IC 35-47-4-6](#)).
- (112) Unlawful possession of a firearm by a serious violent felon ([IC 35-47-4-5](#)).

- (113) Unlawful purchase of a handgun ([IC 35-47-2.5-14](#)) (before its repeal).
- (114) Unlawful transfer of fetal tissue ([IC 35-46-5-1.5](#)).
- (115) Vicarious sexual gratification; sexual conduct in presence of a minor ([IC 35-42-4-5](#)).
- (116) Violation of civil rights ([IC 35-46-2-1](#)).
- (117) Violation of [IC 25-2.1-12](#) (unauthorized practice of accounting) under [IC 25-2.1-13-3](#).
- (118) Violation of [IC 25-6.1-7-1](#) (unauthorized practice of auctioneering) under [IC 25-6.1-7-1](#).
- (119) Violation of [IC 25-6.1-7-2](#) (violation of auctioneering statute) under [IC 25-6.1-7-2](#).
- (120) Violation of any state drug law related to wholesale legend drug distribution ([IC 25-26-14](#)).
- (121) Violation of Indiana Legend Drug Act ([IC 16-42-19](#)).
- (122) Visiting a common nuisance; maintaining a common nuisance ([IC 35-45-1-5](#)).
- (123) Voyeurism; public voyeurism; aerial voyeurism ([IC 35-45-4-5](#)).
- (124) Welfare fraud ([IC 35-43-5-7](#)) (before its repeal).
- (125) Worker's compensation fraud ([IC 35-43-5-21](#)) (before its repeal).

(Indiana Auctioneer Commission; 812 IAC 1-2-4; filed Aug 29, 2023, 9:26 a.m.: [20230927-IR-812230046FRA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))

812 IAC 1-2-5 Convictions of concern in another jurisdiction

Authority: [IC 25-1-1.1-6](#); [IC 25-6.1-2-5](#)

Affected: [IC 25-1-1.1-6](#); [IC 25-6.1](#)

Sec. 5. A crime in any other jurisdiction for which the elements of the crime for which conviction was entered are substantially similar to the elements of a crime included on the list in section 4 of this rule shall also be a crime that may disqualify an individual from receiving a license and therefore included on the list. *(Indiana Auctioneer Commission; 812 IAC 1-2-5; filed Aug 29, 2023, 9:26 a.m.: [20230927-IR-812230046FRA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))*

812 IAC 1-2-6 Prelicensure determinations; fee

Authority: [IC 25-1-1.1-6](#); [IC 25-6.1-2-5](#)

Affected: [IC 25-1-1.1-6](#); [IC 25-6.1](#)

Sec. 6. The fee for a petition under [IC 25-1-1.1-6\(g\)](#) for a determination as to whether an individual's misdemeanor or felony conviction may disqualify the individual from receiving a license or certification is twenty-five dollars (\$25). *(Indiana Auctioneer Commission; 812 IAC 1-2-6; filed Aug 29, 2023, 9:26 a.m.: [20230927-IR-812230046FRA](#); readopted filed Feb 7, 2024, 10:04 a.m.: [20240306-IR-812230773RFA](#))*

*