

ART MULTIPLES SALES ACT (EXCERPT)
Act 40 of 1987

442.351a Definitions.

Sec. 1a. As used in this act:

(a) "Artist" means the creator of an image depicted by or in a master.

(b) "Art merchant" means a person who deals in multiples, or who by his or her occupation holds himself or herself out as having knowledge or skill peculiar to a person who deals in multiples, or who employs a broker, agent, or other intermediary who holds himself or herself out as having knowledge or skill peculiar to a person who deals in multiples. Art merchant includes an auctioneer who sells multiples at public auction, but excludes a consignor or principal of an auctioneer, unless otherwise defined or treated as an art merchant under this act.

(c) "Limited edition" means a number of multiples which are produced from a single master, all of which depict the same image, and which bear numbers or other markings to denote that production of multiples from that master is limited to a stated maximum number, or which are otherwise held out as limited to a maximum number.

(d) "Master" means a printing plate, stone, block, screen, photographic negative, or other material which contains an image used to produce multiples.

(e) "Multiples" means prints, photographs, photographic negatives, or other objects of visual art which are produced in more than 1 copy and sold, offered for sale, or consigned in, into, or from the state for value exceeding \$100.00 each, exclusive of any frame, including pages or sheets taken from books or magazines and sold or offered for sale as art objects, but not including books and magazines.

(f) "Person" means an individual, partnership, corporation, association, or other entity, however organized.

(g) "Print" means an object of visual art which is created by any of the following processes:

(i) Produced by engraving, etching, woodcutting, lithography, serigraphy, or a similar process.

(ii) Produced or developed from a photographic negative.

(iii) Produced or developed by a combination of any of the processes described in subparagraphs (i) and (ii).

(h) "Proofs" means multiples which depict the same image as, and which are produced from the same master used to produce, a limited edition, but which, whether or not designated as proofs, are set aside from and are in addition to the limited edition to which they relate.

(i) "Sale" means sale or exchange.

(j) "Signed" means autographed by the artist's own hand, and not by means of mechanical or photographic reproduction, after the multiple was produced, whether or not the master was signed.

(k) "Written instrument" means a written agreement, bill of sale, invoice, certificate of authenticity, catalog, or other memorandum describing a multiple which is to be sold or consigned by an art merchant.

History: 1987, Act 40, Eff. Dec. 9, 1987.