

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