

11-8A-02.

IF AN ART DEALER ACCEPTS A WORK OF FINE ART ON A FEE, COMMISSION, OR OTHER COMPENSATION BASIS, ON CONSIGNMENT FROM THE ARTIST:

(1) THE ART DEALER IS, WITH RESPECT TO THAT WORK OF FINE ART, THE AGENT BAILEE OF THE ARTIST;

~~(2) THE WORK OF FINE ART IS TRUST PROPERTY AND THE ART DEALER IS TRUSTEE FOR THE BENEFIT OF THE ARTIST UNTIL THE WORK OF FINE ART IS SOLD TO A BONA FIDE THIRD PARTY, AND~~

~~(3) THE PROCEEDS OF THE SALE OF THE WORK OF FINE ART ARE TRUST PROPERTY AND THE ART DEALER IS TRUSTEE FOR THE BENEFIT OF THE ARTIST UNTIL THE AMOUNT DUE THE ARTIST FROM THE SALE IS PAID.~~

(2) THE WORK OF FINE ART IS BAILMENT PROPERTY IN WHICH THE ART DEALER HAS NO LEGAL OR EQUITABLE INTEREST UNTIL THE WORK IS SOLD TO A BONA FIDE THIRD PARTY; AND

(3) THE PROCEEDS OF THE SALE OF THE WORK OF FINE ART ARE BAILMENT PROPERTY IN WHICH THE ART DEALER HAS NO LEGAL OR EQUITABLE INTEREST UNTIL THE AMOUNT DUE THE ARTIST FROM THE SALE, MINUS THE AGREED COMMISSION, IS PAID.

11-8A-03.

NOTWITHSTANDING THE SUBSEQUENT PURCHASE OF THE WORK OF FINE ART BY THE ART DEALER DIRECTLY OR INDIRECTLY FOR THE ART DEALER'S OWN ACCOUNT, A WORK OF FINE ART THAT IS TRUST BAILMENT PROPERTY WHEN INITIALLY ACCEPTED BY THE ART DEALER REMAINS TRUST BAILMENT PROPERTY UNTIL THE PURCHASE PRICE, MINUS THE AGREED UPON COMMISSION, IS PAID IN FULL TO THE ARTIST.

11-8A-04.

PROPERTY THAT IS TRUST BAILMENT PROPERTY UNDER THIS SUBTITLE IS NOT SUBJECT TO THE CLAIMS, LIENS, OR SECURITY INTERESTS OF THE CREDITORS OF AN ART DEALER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed only prospectively and may not be applied or interpreted to have any effect upon or application to any consignment contract entered into prior to the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1983.

Approved May 24, 1983.