

365.860 Rules constituting consignment.

The following provisions shall apply to consignment of a work of fine art:

- (1) The art dealer, after delivery of the work of fine art, shall constitute an agent of the artist for the purpose of sale or exhibition of the consigned work of fine art;
- (2) The work of fine art shall constitute property held in trust by the consignee for the benefit of the consignor, and shall not be subject to claim by a creditor of the consignee. Should the consignee initiate or be forced into bankruptcy proceedings, the consignor shall have the continuing authority to claim physical possession of the work of fine art;
- (3) The consignee shall be responsible for the loss of, or damage to, the work of fine art; and
- (4) The proceeds from the sale of the work of fine art shall constitute funds held in trust by the consignee for the benefit of the consignor. Such proceeds shall first be applied to pay any balance due the consignor, unless the consignor expressly agrees otherwise in writing.

Effective: July 15, 1986

History: Created 1986 Ky. Acts ch. 136, sec. 3, effective July 15, 1986.