

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 5-167

"Uniform Commercial Code Amendment Act
of 1984".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 5-299 on first and second readings, December 4, 1984 and December 18, 1984, respectively. Following the signature of the Mayor on January 11, 1985, this legislation was assigned Act No. 5-232, published in the February 8, 1985 edition of the D.C. Register, (Vol. 32 page 718) and transmitted to Congress January 23, 1985 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 5-167, effective March 15, 1985.



DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January	23,24,25,28,29,30,31
February	1,4,5,6,7,19,20,21,22,25,26,27,28
March	1,4,5,6,7,8,11,12,13,14

EFFECTIVE
DATE MAR 15 1985

D.C. ACT 5 - 2 3 2

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JAN 11 1985

To amend article 9 of title 28 of the D.C. Code to establish provisions governing consignments of works of fine art.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the "Uniform Commercial Code
Amendment Act of 1984".

Sec. 2. D.C. Code, sec. 28:9-114, is amended by adding
a new subsection (3) to read as follows:

D.C. Code,
sec. 28:9-114
(1985 supp.)

"(3)(a) In this subsection, the following words
have the meanings indicated.

"(i) 'Art dealer' means an individual,
partnership, firm, association, or corporation, other than a
public auctioneer, that undertakes to sell a work of fine
art created by another.

"(ii) 'Artist' means the creator of a
work of fine art.

"(iii) 'On consignment' means delivered
to an art dealer for the purpose of sale or exhibition, or
both, to the public by the art dealer other than at a public
auction.

"(iv) 'Work of fine art' means an
original art work which is:

"(A) a visual rendition including

a painting, drawing, sculpture, mosaic, or photograph;

"(B) a work of calligraphy;

"(C) a work of graphic art including an etching, lithograph, offset print, or silk screen;

"(D) a craft work in materials including clay, textile, fiber, wood, metal, plastic, or glass; or

"(E) a work in mixed media including a collage or a work consisting of any combination of works included in this subsection.

"(b) If an art dealer accepts a work of fine art on a fee, commission, or other compensation basis on consignment from the artist, then the following shall apply:

"(i) the art dealer is, with respect to that work of fine art, the agent of the artist;

"(ii) 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


"(iii) 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.

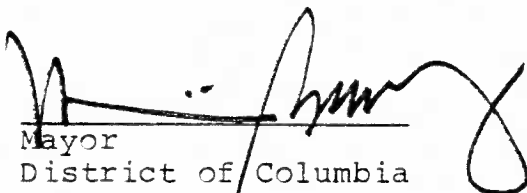
"(c) Notwithstanding the purchase of the work of fine art by the art dealer directly or indirectly for the art dealer's own account, a work of fine art that is trust property when initially accepted by the art dealer remains

trust property until the purchase price is paid in full to the artist.

"(d) Property that is trust property under this section is not subject to the claims, liens, or security interests of the creditors of an art dealer.".

Sec. 3. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia

APPROVED: January 11, 1985



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Five — Second Session

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B5-299

☒ Item on Consent Calendar

☒ ACTION & DATE: Adopted First Reading, 12-04-84

☒ VOICE VOTE: Unanimous

Recorded vote on request

Absent: Smith

☐ ROLL CALL VOTE: — RESULT () () () ()

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote

A.B. — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

Robert L. Smith
Secretary to the Council

12/04/84
Date

☒ Item on Consent Calendar

☒ ACTION & DATE: Adopted Final Reading, 12-18-84

☒ VOICE VOTE: Unanimous

Recorded vote on request

Absent: Winter

☐ ROLL CALL VOTE: — RESULT () () () ()

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote

A.B. — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

Robert L. Smith
Secretary to the Council

12/18/84
Date

☐ Item on Consent Calendar

☐ ACTION & DATE: _____

☐ VOICE VOTE: _____

Recorded vote on request

Absent: _____

☐ ROLL CALL VOTE: — RESULT () () () ()

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				