

THE MUSEUM DISPOSITION OF PROPERTY ACT (EXCERPT)
Act 24 of 1992

399.611 Museum gaining title to property; conditions; notice.

Sec. 11.

(1) Beginning January 1, 1993, a museum gains title to an item of property, subject only to an interest or interests in that property previously recorded pursuant to state law, under any of the following circumstances:

(a) For an item of property for which a museum provides written notice to a lender or a lender's designee pursuant to section 7(2) or (3) and personal service is effectuated or a signed return receipt is received, if a lender of that item does not contact the museum within 1 year after the date notice was received.

(b) For an item of property for which newspaper publication is made pursuant to section 7(4), if a lender of that item does not contact the museum within 1 year after the date of second publication.

(c) Undocumented property that is not solicited by the museum and that is delivered to the museum or left on museum premises after January 1, 1993.

(2) Subject to subsection (3), beginning January 1, 1994, a museum gains title to undocumented property that has been in the possession of the museum for 35 or more consecutive years, subject only to an interest or interests in that undocumented property previously recorded pursuant to state law.

(3) A museum does not gain title to undocumented property that has been in its possession for 35 or more consecutive years unless all of the following occur:

(a) If the museum has an annual budget of more than \$50,000.00, the museum publishes a notice in a newspaper of general circulation in the county within which the museum is located. The notice shall be prominently placed in the newspaper at least once each week for 2 or more weeks, shall be no less than 4 inches wide and 6 inches in height, with a black border that is not less than 1/4 inch wide, and shall include all of the following:

(i) The word "NOTICE" in not less than 25-point type.

(ii) A statement in not less than 22-point type in substantially the following form:

CERTAIN LOANED PROPERTY CURRENTLY IN THE POSSESSION OF _____ (NAME OF MUSEUM) WILL BECOME THE PROPERTY OF THE MUSEUM IF UNCLAIMED, BEGINNING ON _____ (JANUARY 1, 1994, OR DATE WHICH IS 6 MONTHS OR MORE AFTER THE FINAL PUBLICATION OF THE NOTICE, WHICHEVER IS LATER).

(iii) A statement in not less than 10-point type that follows the statement described in subparagraph (ii) and is in substantially the following form:

THE MUSEUM DISPOSITION OF PROPERTY ACT AUTHORIZES _____ (NAME OF MUSEUM) TO BECOME THE OWNER OF PROPERTY LOANED TO THE MUSEUM AND POSSESSED BY THE MUSEUM FOR 35 OR MORE YEARS WITHOUT DOCUMENTATION OR EVIDENCE ESTABLISHING THE IDENTITY OF THE PROPERTY'S LENDER. A PERSON WHO WISHES TO PRESERVE AN INTEREST IN ANY UNDOCUMENTED PROPERTY WHICH WILL HAVE BEEN IN THE MUSEUM'S POSSESSION FOR 35 OR MORE YEARS ON _____ (DATE THAT IS USED IN THE STATEMENT REQUIRED BY SUBDIVISION (A)(ii)) MUST CONTACT THE MUSEUM BEFORE THAT DATE. A PERSON WHO WISHES TO PRESERVE AN INTEREST IN OTHER UNDOCUMENTED PROPERTY MUST CONTACT THE MUSEUM BEFORE THE PROPERTY HAS REMAINED IN THE POSSESSION OF THE MUSEUM FOR 35 YEARS. UNDOCUMENTED PROPERTY THAT IS UNCLAIMED AFTER BEING IN THE MUSEUM'S POSSESSION FOR 35 YEARS BECOMES THE PROPERTY OF THE MUSEUM AS PROVIDED BY LAW.

THE LAW DOES NOT REQUIRE THE MUSEUM TO PROVIDE ANY FURTHER PUBLIC NOTICE CONCERNING THE MUSEUM DISPOSITION OF PROPERTY ACT OR YOUR OBLIGATION TO CONTACT THE MUSEUM REGARDING UNDOCUMENTED PROPERTY IN WHICH YOU MAY HAVE AN INTEREST.

(b) If the museum has an annual budget of \$50,000.00 or less, the museum publishes a readily visible notice in a newspaper of general circulation in the county within which the museum is located. The notice shall be in substantially the form described in subdivision (a), but the size of the notice, print, and border may be less than the size specified for each in subdivision (a).

(c) The museum posts a copy of a notice substantially corresponding to the notice described in subdivision (a)(i), (ii), and (iii) in a conspicuous location on the museum premises at the time notice is provided by newspaper publication under subdivision (a), and the notice remains posted in a conspicuous location until the museum has obtained title to all undocumented property in its possession under subsection (2).

(d) The museum does not receive documentation or other evidence establishing a person's ownership interest in the undocumented property within the applicable period of time specified in the published notices pursuant to subdivision (a)(iii).

History: 1992, Act 24, Imd. Eff. Mar. 23, 1992