



## Museum Property Acts and Abandoned Loan Legislation

Several states now have laws that make it easier for museums to deal with objects that are found in the collection without documentation and abandoned loans (loaned objects that cannot be returned because the lender cannot be found or identified). In some states there are laws that directly address abandoned loans or found property. If there are no state regulations that address these objects the principles of common law may be used to legally resolve the situation. In general, common law requires the museum to make a reasonable, good-faith effort to find the lender or owner before the ownership of the object is converted. The legal term conversion means the assumption of ownership of property that previously belonged to someone else. Reasonable good-faith efforts include sending a certified letter to last known address of the owner or lender and publishing a legal notice in a local newspaper with a date for the resolution of the situation.

If you have updates for this list, please send them to [info@arcsinfo.org](mailto:info@arcsinfo.org)

State or district	Legal citation	Link
Alabama	§ 41-6-72 to 41-6-75	<a href="http://law.onecle.com/alabama/title-41/41-6-72.html">http://law.onecle.com/alabama/title-41/41-6-72.html</a>
Alaska	Chapter 14 § 57.200 to 57.290	<a href="http://www.touchngo.com/lglcntr/akstats/Statutes/Title14/Chapter57/Section290.htm">http://www.touchngo.com/lglcntr/akstats/Statutes/Title14/Chapter57/Section290.htm</a>
Arizona	Chapter 3.1 § 44-351 to 44-356	<a href="https://www.azleg.gov/arsDetail/?title=44">https://www.azleg.gov/arsDetail/?title=44</a>
Arkansas	§ 13-5-1001 to 13-5-1013	<a href="https://law.justia.com/codes/arkansas/2016/title-13/chapter-5/subchapter-10/">https://law.justia.com/codes/arkansas/2016/title-13/chapter-5/subchapter-10/</a>
California	§ 1899 to 1899.11	<a href="https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=CIV&amp;division=3.&amp;title=4.&amp;part=4.&amp;chapter=1.5.&amp;article=">https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=CIV&amp;division=3.&amp;title=4.&amp;part=4.&amp;chapter=1.5.&amp;article=</a>
Colorado	§ 38-14-101 to 38-14-112	<a href="https://law.justia.com/codes/colorado/2016/title-38/loaned-property/article-14/">https://law.justia.com/codes/colorado/2016/title-38/loaned-property/article-14/</a>
Connecticut	Title 11 chapter 194	<a href="https://law.justia.com/codes/connecticut/2012/title-11/chapter-194/">https://law.justia.com/codes/connecticut/2012/title-11/chapter-194/</a>
Delaware	House Bill 231 81:213	<a href="http://legis.delaware.gov/BillDetail?LegislationId=25957">http://legis.delaware.gov/BillDetail?LegislationId=25957</a>
District of Columbia	None	



Florida	§ 265.565	<a href="http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&amp;Search_String=&amp;URL=0200-0299/0265/Sections/0265.565.html">http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&amp;Search_String=&amp;URL=0200-0299/0265/Sections/0265.565.html</a>
Georgia	§ 10-1-529.1 to 10-1-529.7	<a href="https://law.justia.com/codes/georgia/2010/title-10/chapter-1/article-17b">https://law.justia.com/codes/georgia/2010/title-10/chapter-1/article-17b</a>
Hawaii	None	
Idaho	None	
Illinois	765 § 1033/1 to 1033/50	<a href="http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2230&amp;ChapterID=62">http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2230&amp;ChapterID=62</a>
Indiana	§ 32-34-5-1 to 32-34-5-16	<a href="https://iga.in.gov/legislative/2016/bills/senate/45#document-b8a49b30">https://iga.in.gov/legislative/2016/bills/senate/45#document-b8a49b30</a>
Iowa	§ 305B.1 to 305B.13	<a href="https://law.justia.com/codes/iowa/2016/title-vii/chapter-305b/">https://law.justia.com/codes/iowa/2016/title-vii/chapter-305b/</a>
Kansas	§ 58-4001 to 58-4013	<a href="http://kslegislature.org/li_2012/b2011_12/statute/058_000_0000_chapter/058_040_0000_article/058_040_0001_section/058_040_0001_k/">http://kslegislature.org/li_2012/b2011_12/statute/058_000_0000_chapter/058_040_0000_article/058_040_0001_section/058_040_0001_k/</a>
Kentucky	§ 171.830 to 171.849	<a href="https://history.ky.gov/for-organizations/kentucky-abandoned-archivalmuseum-property/">https://history.ky.gov/for-organizations/kentucky-abandoned-archivalmuseum-property/</a>
Louisiana	Title 25:345	<a href="https://legis.la.gov/Legis/Law.aspx?d=84414">https://legis.la.gov/Legis/Law.aspx?d=84414</a>
Maine	Title 27 § 601	<a href="http://legislature.maine.gov/statutes/27/title27sec601.html">http://legislature.maine.gov/statutes/27/title27sec601.html</a>
Maryland	None	
Massachusetts	chap 200B Sections 1-8	<a href="https://malegislature.gov/Laws/GeneralLaws/PartII/TitleII/Chapter200B">https://malegislature.gov/Laws/GeneralLaws/PartII/TitleII/Chapter200B</a>
Michigan	§ 399.601 to 399.613	<a href="https://law.justia.com/codes/michigan/2015/chapter-399/statute-act-24-of-1992/">https://law.justia.com/codes/michigan/2015/chapter-399/statute-act-24-of-1992/</a>
Minnesota	§ 345.70 - 345.74	<a href="https://www.revisor.mn.gov/statutes/?id=345">https://www.revisor.mn.gov/statutes/?id=345</a>
Mississippi	Title 39:Chap19	<a href="https://law.justia.com/codes/mississippi/2010/title-39/19/">https://law.justia.com/codes/mississippi/2010/title-39/19/</a>
Missouri	§ 184.102 to 184.122	<a href="http://revisor.mo.gov/main/OneChapter.aspx?chapter=184">http://revisor.mo.gov/main/OneChapter.aspx?chapter=184</a>
Montana	Title 22 chapter 3 § 501-523	<a href="http://web.archive.org/web/20130401181552/http://data.opi.mt.gov/bills/mca_toc/22_3_5.htm">http://web.archive.org/web/20130401181552/http://data.opi.mt.gov/bills/mca_toc/22_3_5.htm</a>
Nebraska	§ 51-701 to 51-712	<a href="https://law.justia.com/codes/nebraska/2009/Chapter51/51-702.html">https://law.justia.com/codes/nebraska/2009/Chapter51/51-702.html</a>
Nevada	Chapter 381 § 381.009	<a href="https://www.leg.state.nv.us/NRS/NRS-381.html">https://www.leg.state.nv.us/NRS/NRS-381.html</a>



New Hampshire	Title 16, chapter 201-E	<a href="http://www.gencourt.state.nh.us/rsa/html/xvi/201-e/201-e-mrg.htm">http://www.gencourt.state.nh.us/rsa/html/xvi/201-e/201-e-mrg.htm</a>
New Jersey	Title 46 § 30D-1 to 30D-11	<a href="https://law.justia.com/codes/new-jersey/2013/title-46">https://law.justia.com/codes/new-jersey/2013/title-46</a>
New Mexico	Chapter 18, article 10 § 1-5	<a href="https://law.justia.com/codes/new-mexico/2013/chapter-18/article-10/">https://law.justia.com/codes/new-mexico/2013/chapter-18/article-10/</a>
New York	Article 5 § 233.aa	<a href="https://nysmuseums.org/resources/Documents/museum%20property%20law.pdf">https://nysmuseums.org/resources/Documents/museum%20property%20law.pdf</a>
North Carolina	Article 5 § 121-56	<a href="https://www.ncga.state.nc.us/gascripts/Statutes/StatutesTOC.pl?Chapter=0121">https://www.ncga.state.nc.us/gascripts/Statutes/StatutesTOC.pl?Chapter=0121</a>
North Dakota	Title 55 § 55-12	<a href="http://www.legis.nd.gov/cencode/t55.html">http://www.legis.nd.gov/cencode/t55.html</a>
Ohio	Title 33 § 3385.01 - 3385.10	<a href="http://codes.ohio.gov/orc/3385">http://codes.ohio.gov/orc/3385</a>
Oklahoma	Title 60, chapter 651	<a href="http://www.oklegislature.gov/osStatuesTitle.html">http://www.oklegislature.gov/osStatuesTitle.html</a>
Oregon	Chapter 358.415 to 358.440	<a href="https://www.oregonlaws.org/ors/358.420">https://www.oregonlaws.org/ors/358.420</a>
Pennsylvania	Title 37 § 304	<a href="http://codes.findlaw.com/pa/title-37-pacsa-historical-and-museums/pa-csa-sect-37-304.html">http://codes.findlaw.com/pa/title-37-pacsa-historical-and-museums/pa-csa-sect-37-304.html</a>
Rhode Island	Chapter 34-44.1-8	<a href="http://webserver.rilin.state.ri.us/Statutes/title34/34-44.1/INDEX.HTM">http://webserver.rilin.state.ri.us/Statutes/title34/34-44.1/INDEX.HTM</a>
South Carolina	§ 27-45-10 to 27-45-100	<a href="https://law.justia.com/codes/south-carolina/2012/title-27/chapter-45/section-27-45-10/">https://law.justia.com/codes/south-carolina/2012/title-27/chapter-45/section-27-45-10/</a>
South Dakota	§ 43-41C-1 to 43-41C-4	<a href="http://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&amp;Statute=43-41C">http://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&amp;Statute=43-41C</a>
Tennessee	§ 66-29-201 to 66-29-204	<a href="https://law.justia.com/codes/tennessee/2015/title-66/chapter-29/part-2/">https://law.justia.com/codes/tennessee/2015/title-66/chapter-29/part-2/</a>
Texas	§ 80.001 to 80.008	<a href="https://statutes.capitol.texas.gov/Docs/PR/htm/PR.80.htm">https://statutes.capitol.texas.gov/Docs/PR/htm/PR.80.htm</a>
Utah	Title 9, chapter 8 part 8 § 801-806	<a href="https://le.utah.gov/xcode/Title9/Chapter8/9-8-P8.html?v=C9-8-P8_1800010118000101">https://le.utah.gov/xcode/Title9/Chapter8/9-8-P8.html?v=C9-8-P8_1800010118000101</a>
Vermont	Title 27, chapter 012 § 1151-1158	<a href="http://legislature.vermont.gov/statutes/section/27/012/01151">http://legislature.vermont.gov/statutes/section/27/012/01151</a>
Virginia	Title 55, chapter 11.2 § 55-210.31 to 55-210.38	<a href="https://law.lis.virginia.gov/vacode/title55/chapter11.2/section55-210.37/">https://law.lis.virginia.gov/vacode/title55/chapter11.2/section55-210.37/</a>



Washington	§ 63.26.010 to 63.26.050	<a href="http://app.leg.wa.gov/RCW/default.aspx?cite=63.26.020">http://app.leg.wa.gov/RCW/default.aspx?cite=63.26.020</a>
West Virginia	None	
Wisconsin	§ 171.30 to 171.33	<a href="https://docs.legis.wisconsin.gov/statutes/statutes/171/II/30">https://docs.legis.wisconsin.gov/statutes/statutes/171/II/30</a>
Wyoming	§ 34-23-101 to 34-23-108	<a href="http://www.socratek.com/StateLaws.aspx?id=1067606&amp;title=Museums%20-%20Loaned%20Property">http://www.socratek.com/StateLaws.aspx?id=1067606&amp;title=Museums%20-%20Loaned%20Property</a>

**For further information on museum property and abandoned loan legal issues:**

Abandoned Property Project. <https://www2.archivists.org/groups/acquisitions-appraisal-section/abandoned-property-project>

Buck, R. A. 2010. Found-in-collection. Pp. 109-118 in R. A. Buck and J. A. Gilmore (eds.). *MRM5: Museum Registration Methods*. 5th ed. American Association of Museums Press, Washington D.C.

Buck, R. A., and J. A. Gilmore. 2007. *Collection Conundrums: Solving Collections Management Mysteries*. American Association of Museums Press, Washington D.C.

DeAngelis, I. P. 2010. Old loans. Pp. 85-90 in Buck, R. A. & J. A. Gilmore (eds.). *Museum Registration Methods*. 5th. ed. American Association of Museums, Washington, D.C., xi + 516 pp.

Found in Collections. A reference guide for reconciling undocumented objects in historical museums. <http://www.foundincollections.com/>

Kuruvilla, H. H. 2016. *A Legal Dictionary for Museum Professionals*. Rowman and Littlefield, Lanham.

Malaro, M. C., and I. DeAngelis. 2012. *A Legal Primer on Managing Museum Collections*. 3rd ed. Smithsonian Books, Washington D.C.

Simmons, J. E. 2017. *Things Great and Small: Collections Management Policies*. Rowman and Littlefield, Lanham.



Speckart, K. 2010. Old loans: state legislation through 2009. Pp. 91-96 in Buck, R. A. & J. A. Gilmore (eds.). *Museum Registration Methods*. 5th. ed. American Association of Museums, Washington, D.C.

Whittemore, G. 2015. Found in Collections. Pp. 3-12 in J. Courtney, J. (ed.). *The Legal Guide for Museum Professionals*. Rowman and Littlefield, Lanham.