

171.846 Conservation measures for property on loan to museum.

- (1) Unless there is a written loan agreement to the contrary, a museum may apply conservation measures to property on loan to the museum pursuant to this section.
- (2) The museum may apply conservation measures pursuant to this section if: action is required to protect the property on loan or other property in the custody of the museum, or the property on loan is a hazard to the health and safety of the public or the museum staff; and the circumstances described in paragraphs (a) and (b) of this subsection exist.
 - (a) The museum attempts to locate the owner of the property using the method described in KRS 171.840(2)(b), (c), and (d)1., 2., 3., 4., and 5. The required notice shall also state the proposed conservation measures, seek the owner's permission to proceed with the conservation measures, and inform the owner that if he does not come forward within fourteen (14) days after the last published notice and agree to the proposed conservation measures or retrieve the property within seven (7) days after coming forward, then the museum shall proceed with the proposed conservation measures.
 - (b) The owner fails to agree to the proposed conservation measures or to retrieve his property within the time periods specified in paragraph (a) of this subsection.
- (3) If a museum applies conservation measures pursuant to this section, the museum:
 - (a) Shall acquire a lien on the property in the amount of the costs incurred by the museum; and
 - (b) Shall not be liable for injury or loss of the property if the museum:
 1. Had a reasonable belief at the time the conservation occurred that the conservation was necessary to protect the property on loan or other property in the custody of the museum, or that the property on loan was a hazard to the health and safety of the public or the museum staff; and
 2. Exercised reasonable care in the choice and application of conservation measures.

Effective: July 15, 1996

History: Created 1996 Ky. Acts ch. 368, sec. 6, effective July 15, 1996.