

ART MULTIPLES SALES ACT (EXCERPT)
Act 40 of 1987

442.365 Action to enforce act.

Sec. 15.

(1) In an action to enforce this act all of the following apply:

(a) A disclaimer made pursuant to section 2(2) regarding an item of relevant information shall be effective unless the claimant can establish that the art merchant failed to make reasonable inquiries, according to custom and usage of trade, to ascertain the information, or that the information would have been ascertained as a result of reasonable inquiry.

(b) The court may allow a prevailing party the costs of the action, and may allow a prevailing purchaser reasonable attorney fees. If the court determines that a purchaser's action was brought in bad faith, it may allow the art merchant reasonable attorney fees.

(2) An action to enforce this act shall be brought within the period prescribed by section 2725 of the uniform commercial code, Act No. 174 of the Public Acts of 1962, being section 440.2725 of the Michigan Compiled Laws for an action for a breach of warranty.

History: 1987, Act 40, Eff. Dec. 9, 1987