



**American Society of Appraisers  
Board of Governors Resolution**

**Endorsement of An ACT to Amend New York Arts and Cultural Affairs Law Related to Opinions  
Concerning Authenticity, Attribution and Authorship of Works of Fine Art**  
Resolution No. 03-14-01

Date: March 22, 2014

**Whereas**, the Personal Property Committee (PPC) of the American Society of Appraisers (ASA) endorsed on March 9, 2014, the passage of above referenced “An ACT to Amend” (Section 1 Subdivisions 3-22 of section 11.01 of the Arts and Cultural Affairs Law are renumbered 4-23 and a new subdivision 3 is added to define “Authenticator.”) currently pending before the State of New York 2013-2014 Regular Sessions.

**Whereas**, this ACT is intended to deter frivolous lawsuits and encourage Authenticators to continue to practice their profession for the benefit of the art market and artists.

**Whereas**, 2013 and prior years has seen the dwindling of Artists’ Foundations, Organizations and individual Experts willing to “Authenticate” works by a specific artist as a result of frivolous lawsuits.

**Whereas**, this dwindling number of “Authenticators” has a deleterious and chilling effect on the art market and specifically the Appraisal Profession as works can no longer be “authenticated” by the recognized and traditional sources.

**Therefore be it resolved** that the Board of Governors of the American Society of Appraisers endorses the passage of Bills A 9016 and S 6794 sponsored by Assembly Member Linda Rosenthal and Senator Betty Little currently before the New York State Legislature.

Resolved by: Sheryl Gillett, ASA

Seconded by: Nelson O. Clayton, ASA

Resolution: Passed   X   Failed:        Tabled:        Withdrawn:        Abstain: