§ 14.05. Sculpture; identifying mark. 1. Every sculpture produced, fabricated or carved in or from this state after January first, nineteen hundred ninety-one shall contain thereon, in a clear and legible fashion and in an easily accessible location, a distinctive mark which identifies the foundry or other production facility at which such sculpture was made, and the year that such sculpture was made. This section shall also apply to unique works of sculpture produced, fabricated or carved in this state.

2. It shall be unlawful for a foundry or other production facility (a) to fail or refuse to affix an identifying mark and the year or (b) to affix a false identifying mark or incorrect year to any sculpture produced by it. Notwithstanding any other provision of law, violation of this subdivision shall be punishable by a civil penalty not to exceed five thousand dollars for each unlabeled or mislabeled sculpture.

3. It shall be unlawful for any person to deface, mark over or tamper with the identifying mark and date required by this section to be included on a sculpture. Notwithstanding any other provision of law, violation of this subdivision shall be punishable by a civil penalty not to exceed five thousand dollars for each instance of defacing, marking over or tampering with such identifying mark or date. Any violation of this subdivision shall be punishable in accordance with the penal law.