

**173.105 Contract with county -- Support by county -- Effect of compact -- Effect on joint department upon establishment of consolidated local government.**

- (1) The fiscal court of any county containing a population of over two hundred thousand (200,000) and a city of the first class, may contract with the board of trustees of the free public library of any such city for the purpose of granting to the residents and schools of such county the same privileges afforded by such library to residents and schools in the city.
- (2) Notwithstanding any provisions of Kentucky Revised Statutes to the contrary, when the fiscal court of any county containing a population of over two hundred thousand (200,000) and a city of the first class have in effect a compact under KRS 79.310 to 79.330, the city and county shall by joint action create a joint city/county department for the purpose of providing a free public library. In such event, the board of trustees shall be dissolved as a corporate entity, and all assets and liabilities of the board of trustees shall be transferred to the joint department. An advisory board may be established by joint agreement of such city and county. Upon the establishment of a consolidated local government in a county where a city of the first class and a county containing that city have had in effect a cooperative compact pursuant to KRS 79.310 to 79.330, the joint department shall become a department of the consolidated local government and all assets and liabilities of the joint department shall be transferred to the consolidated local government. An advisory board may be established or maintained by a consolidated local government. Members of the advisory board shall be appointed pursuant to the provisions of KRS 67C.139 and shall serve at the pleasure of the mayor of the consolidated local government.
- (3) If the fiscal court enters into a contract pursuant to subsection (1) of this section, then the county judge/executive shall have the authority to appoint one-half (1/2) of the positions on the board of trustees of the free public library. Appointments shall be made for four (4) year terms. Each appointee must be at the time of his or her appointment a taxpayer and qualified voter in the county.
- (4) The county judge/executive shall make the appointments authorized by subsection (3) of this section in the following manner. On March 31 of 1978 and March 31 of 1980, he or she shall appoint persons to fill two (2) of the vacancies which occur. On March 31 of 1979 and March 31 of 1981, he or she shall appoint a person to fill one (1) vacancy which occurs. He or she shall continue to make the appointments to these positions when a vacancy occurs or a term expires, subject to subsection (5) of this section.
- (5) If the contract between the fiscal court and a free public library terminates or ceases to be in effect, the county judge/executive shall no longer have the authority to appoint persons as trustees to the board of the free public library and the mayor may terminate the appointment of trustees appointed by the county judge/executive and appoint persons to fill their unexpired terms.
- (6) The fiscal court may annually appropriate money out of the county treasury to the maintenance and support of the library.

- (7) Money so appropriated by the fiscal court may be expended by the board of trustees of the free public library in the establishment of branch stations in the county outside the city of the first class, under regulations of the board of trustees.

**Effective:** July 15, 2002

**History:** Amended 2002 Ky. Acts ch. 346, sec. 178, effective July 15, 2002. -- Amended 1986 Ky. Acts ch. 77, sec. 21, effective July 15, 1986. -- Amended 1978 Ky. Acts ch. 267, sec. 2, effective March 30, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2801c-1, 2801c-2.

**Formerly codified as** KRS 172.095.