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# Public Library

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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# Public Library

## Private Acts of 1917 Chapter 651

**SECTION 1.** That the County Courts of the State of Tennessee, in counties of the State having a population of 16,336 and not more than 16,350 according to the Federal Census of 1910, or any subsequent Federal Census, shall have the power and right to establish and maintain free public library or libraries and levy and cause to be collected as other general taxes, a library tax not to exceed ten cents on the hundred dollars of the assessed value of the taxable property of such county or counties.

The taxes so collected shall constitute the library fund and shall be kept separate from all other funds, and to be used exclusively upon such library or libraries. Said taxes shall be collected by the County Trustee of said county or counties.

**SECTION 2.** For the government of such library there shall be a board of six trustees appointed or elected by the County Court of said county or counties, chosen from the citizens at large with reference to their fitness and qualification, and the term of said trustees shall be for six years, or until their successors shall be appointed or elected and qualified; provided, that upon their first appointment or election under this Act, two members shall be appointed or elected for two years, two for four years, and two for six years, and at all subsequent appointments or elections under this Act, made every two years, two members shall be appointed or elected for six years.

All vacancies shall be immediately reported by the trustees to the County Court, and be filled by appointment or election in like manner, and for an unexpired term, for the residue of the term only. The County Court may remove any member of said trustees for incapacity, unfitness, misconduct, or for neglect of duty.

**SECTION 3.** That immediately after appointment or election said Board of Trustees shall organize by electing one of its members as president and one as secretary-treasurer, and such other officers as it deems necessary.

The secretary-treasurer, before entering upon his duties, shall give bond to the County Court in amount fixed by said Board of Trustees, conditioned for the faithful performance of his official duties.

The Board of Trustees shall adopt rules and by-laws and regulations for its own guidance for the government of the library as may be expedient and conformable to law. It shall have exclusive control of all moneys collected for or placed to the credit of the library fund, and of the supervision, care and custody of the rooms or buildings constructed, leased or set apart for library purposes.

But all money received for such library fund shall be paid into the County Treasury, to be credited to the library fund, be kept separate from other moneys, and be paid out to the secretary-treasurer upon the authenticated requisition of the Board of Trustees through its proper officers. With the consent of the County Court it may lease and occupy, or purchase, or erect upon ground secured through gift, or purchase an appropriate building:

Provided, that of the income for any one year not more than half of the income may be employed for the purpose of making such lease or purchase or for erecting such building.

It may appoint a librarian, assistants, and other employees, and prescribe rules for their conduct, and fix their compensation, and shall also have power to remove such appointees.

It may also extend the privilege and use of such library to non-residents upon such terms and conditions as it may prescribe.

**SECTION 4.** That all property given, granted, conveyed, donated, devised or bequeathed to, or otherwise acquired by any county for a library shall vest in and be held in the name of such county and any conveyance, grant, donation, devise, bequest or gift made to or in the name of any public library board shall be deemed to have been made directly to such county.

**SECTION 5.** That with the consent of the County Court, expressed by an order or resolution, and within the limitation of this Act as to the rate of taxation, the library board may accept any gift, grant, devise, bequest made or offered by any person or persons or corporation, for library purposes, and may carry out the conditions of such donations. And the county in all such cases is authorized and empowered to acquire a site, levy a tax, and pledge itself by order or resolution to a perpetual compliance with all the terms and conditions of the gift, grant, devise, or bequest so accepted.

**SECTION 6.** That every library established under the provisions of this Act shall be forever free to the use of the inhabitants of the county, subject to such reasonable regulations as the Board of Trustees may

adopt.

**SECTION 7.** That on or before the thirty-first day of December of each year the said Board of Trustees shall make a report to the County Court, stating the condition of their trust, the various sums of money received from the library fund and all other sources, and how much money has been expended, the number of books and periodicals on hand, the number added during the year, the number lost or missing, the number of books loaned out and the general character of such books, the number of registered users of said library, with such other statistics, information and suggestions as it may deem of general interest.

**SECTION 8.** That the County Court shall have power to pass orders, resolutions imposing suitable penalties for the punishment of persons committing injury upon such library, grounds, or other property thereof, or for the failure to return any book, map, magazine, pamphlet or manuscript belonging to such library.

**SECTION 9.** That if there exist in the county, a secular or non-secular library owned and controlled by a society, person, or corporation, the County Court of said county, when deemed best for the interest of the county, may levy and collect the tax herein provided for, and, in lieu of supporting and maintaining a public library, enter into contract with such society, person or corporation for the purpose of providing the inhabitants of such county with free use and benefit of such library upon such terms and conditions as may be agreed upon between the County Court and the society, person or corporation; provided always, that all moneys paid to such society, person or corporation under said contract shall be expended solely for the maintenance of such library, and for no other purpose.

**SECTION 10.** That nothing in this Act shall be construed to abolish or in any way abridge any power or duty conferred upon any public library established by any city, town, school or person by charter, or any special act of any kind.

**SECTION 11.** That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 31, 1917.

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