



November 13, 2024

Libraries - Historical Notes

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

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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State law pertaining to libraries is generally compiled under title 10, Tennessee Code Annotated.

Acts of 1909, Chapter 73, permitted the county courts of all counties of not less than 60,000 nor more than 100,000 inhabitants, according to the Federal Census of 1900, or subsequent census, to levy a tax and appropriate money each year to aid in the maintenance of any free public library and reading room which had been or might be established by any municipality within such counties.

Private Acts of 1935, Chapter 143, authorized Hamilton County and the City of Chattanooga to jointly construct, equip, maintain and operate a public library building in the City of Chattanooga, and to use the proceeds of bond funds authorized under Private Acts of 1929 (Ex. Sess.), Chapter 61, and Private Acts of 1935, Chapter 682, for the purpose of acquiring land for, constructing and equipping same.

Private Acts of 1951, Chapter 323, established in each county having a population of not less than 207,000 nor more than 208,000, according to the Federal Census of 1950, and any subsequent federal census, a county governmental library commission composed of the judges of the circuit, chancery and criminal courts having jurisdiction in said county, and the judges of the court of appeals and supreme court resident in each said county. The commission was to establish, operate, and maintain a county governmental library which would be financed by adding a \$1.00 tax as cost on each civil, criminal, quasi-civil, quasi-criminal, or any other action at law, or suit in equity of any nature filed in or brought by appeal to the circuit, chancery and criminal courts of said county, and a 25¢ tax as cost on each case of any nature filed or arising in the courts of general sessions and justices of the peace. Said taxes were to be designated as county library tax. Presumably, this act was intended to apply to Hamilton County (as it was introduced in the House by three Hamilton County Representatives), but the population range given in the act falls short of the population figure of 208,255 for Hamilton County from the Federal Census of 1950.

Private Acts of 1965, Chapter 230, purported to amend Private Acts of 1951, Chapter 323, but was rejected by the local quarterly court and did not become law.

Private Acts of 1977, Chapter 103, recited that §§ 10-301 and 10-302, Tennessee Code Annotated, superseded Private Acts of 1909, Chapter 73, which this act purported to repeal. Knox, Sullivan and Madison counties approved this repeal at the local level while Blount, Hamilton, Anderson, Washington, and Montgomery counties took no action on it.

Private Acts of 2021, Chapter 27, repealed the Private Acts of 1967, Chapter 109, which had created the Hamilton County Governmental Library Commission.

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