

173.745 Powers and duties of board – Approval of fiscal court, when needed.

- (1) The board shall establish, equip, and maintain libraries or contract with existing libraries for the furnishing of library service for the district and do all things necessary to provide efficient library service. The board may also enter an agreement pursuant to KRS 65.210 to 65.300 for the provision of additional library services. No district shall establish a library unless the plans for the establishment, equipment and maintenance have been approved by the Department for Libraries and Archives. No contract shall be made unless the libraries contracting to furnish service are libraries approved by the Department for Libraries and Archives for this purpose.
- (2) The district, as a body corporate, by and through the board may:
 - (a) Sue and be sued, complain and defend, purchase, or lease grounds, purchase, lease, occupy or erect appropriate buildings for the use of the district libraries and their branches, lease or build to lease appropriate buildings for use by educational institutions, sell and convey real and personal property for and on behalf of the district, receive gifts of real and personal property for the use and benefit of the district, the same when accepted to be held and controlled by the board according to the terms of the deed, gift, devise or bequest of such property;
 - (b) Borrow money on the credit of the board in anticipation of the revenue to be derived from taxes levied by the district for the fiscal year in which the money is borrowed, and to pledge the taxes levied for the district for the payment of the principal and interest of the loan. The principal to be repaid annually shall not exceed fifty percent (50%) of the anticipated revenue for the fiscal year in which the money is borrowed.
 - (c) Establish bylaws it deems necessary and expedient to define the duties of officers or employees and make all necessary policies governing libraries, library service and personnel within the district.
- (3)
 - (a) The following requires the majority vote of the board members and approval of the fiscal court:
 1. Leasing appropriate buildings for use by educational institutions;
 2. Constructing appropriate buildings for use by educational institutions; and
 3. The approval of expenditures for capital projects with a total cost that is equal to or greater than one million dollars (\$1,000,000). This subparagraph does not apply to awards made from the public library facilities construction fund under KRS 171.027 that were made before January 1, 2023.
 - (b) Buildings for use by educational institutions shall be deemed appropriate buildings for purposes of this subsection and subsection (2) of this section when the building meets the school building requirements established by the Kentucky Board of Education.
- (4) The board in exercise of its powers shall be guided by the regulations and requirements of the Department for Libraries and Archives.

- (5) The powers set forth in this section shall not be construed to limit, restrict or modify any powers or authority granted by KRS 173.710 to 173.800 or any other law not in conflict with the provisions of this section.

Effective: January 1, 2023

History: Amended 2022 Ky. Acts ch. 221, sec. 6, effective January 1, 2023. -- Amended 1990 Ky. Acts ch. 58, sec. 14, effective July 13, 1990. -- Amended 1982 Ky. Acts ch. 245, sec. 13, effective July 15, 1982. -- Created 1964 Ky. Acts ch. 92, sec. 8.