

**173.490 Terms of board members -- Appointment to fill vacancies -- Removal of members -- Advisory board -- Residency requirement.**

- (1) (a) One-third (1/3) of the persons first appointed to the board shall serve for a term of two (2) years, one-third (1/3) for a term of three (3) years and one-third (1/3) for a term of four (4) years. Where the board consists of a number of members not divisible by three (3), one-third (1/3) of the next higher number divisible by three (3), shall serve for a term of two (2) years, one-third (1/3) for a term of three (3) years, and the remaining number shall serve for a term of four (4) years. Thereafter, as their terms expire, the board shall make recommendations on their successors, who shall be appointed as set out in paragraph (b) of this subsection.
  - (b)
    1. The board shall recommend two (2) persons committed to the provision of library services to the county judge/executive for each vacancy, unless the fiscal court has adopted an alternative appointment process through the passage of a resolution as set forth in subparagraph 2. of this paragraph. The county judge/executive shall within thirty (30) days, with the approval of the fiscal court, make the selection from those recommended unless the fiscal court has adopted an alternative appointment process. Within fourteen (14) days, the board shall notify the Department for Libraries and Archives of the name of any person appointed.
    2. For fiscal courts that adopt an alternative appointment process through the passage of a resolution, the board shall recommend one (1) person committed to the provision of library services to the county judge/executive, who:
      - a. May within thirty (30) days, with the approval of the fiscal court, make the selection from the person recommended by the board; or
      - b. Shall, if he or she determines that the person recommended by the board is unacceptable, appoint, with the approval of the fiscal court, individuals of his or her choosing no later than thirty (30) days after rejecting the board's recommendation. The board shall notify the Department for Libraries and Archives, within fourteen (14) days of the appointment, of the name of any individual appointed by the alternative appointment process.
  - (c) Board members shall serve a term of four (4) years each, and may serve for two (2) consecutive terms after which they shall not succeed themselves. They may be reappointed no earlier than twelve (12) months following the end of their last service. The members shall hold office until their respective successors are appointed and qualified. After absence of a trustee from four (4) regular monthly meetings of the board during any one (1) year of the trustee's term, the trustee shall be considered to have automatically resigned from the board. An advisory board may be appointed and serve as specified in the bylaws of the board of trustees.
- (2) Any vacancy occurring in the terms of office of members shall be filled for the unexpired term by the county judge/executive, with the approval of the fiscal court,

by appointment on recommendation of the board of two (2) persons committed to the provision of library services and living in the county in which the vacancy occurred unless the fiscal court has adopted an alternative appointment process through the passage of a resolution. For fiscal courts that adopt an alternative appointment process, the board shall recommend one (1) person committed to the provision of library services and living in the county to the county judge/executive, who:

- (a) May within thirty (30) days, with the approval of the fiscal court, appoint the person recommended by the board; or
  - (b) Shall, if he or she determines that the person recommended by the board is unacceptable, appoint, with the approval of the fiscal court, an individual of his or her choosing no later than thirty (30) days after rejecting the board's recommendation. Any person appointed in accordance with this subsection shall be committed to the provision of library services and living in the county in which the vacancy occurred. The board shall notify the Department for Libraries and Archives, within fourteen (14) days of the appointment, of the name of any individual appointed in the manner set out in this subsection.
- (3) A member of the board may be removed from office as provided by KRS 65.007.
  - (4) Any person appointed to the board shall be committed to the provision of library services and living in the county in which the board operates.

**Effective:** July 15, 2026

**History:** Amended 2026 Ky. Acts ch. 13, sec. 1, effective July 15, 2026. -- Amended 2022 Ky. Acts ch. 221, sec. 2, effective January 1, 2023. -- Amended 1990 Ky. Acts ch. 58, sec. 18, effective July 13, 1990. -- Amended 1984 Ky. Acts ch. 218, sec. 2, effective July 13, 1984. -- Amended 1982 Ky. Acts ch. 245, sec. 10, effective July 15, 1982. -- Amended 1980 Ky. Acts ch. 18, sec. 16, effective July 15, 1980. -- Amended 1974 Ky. Acts ch. 8, sec. 6; and ch. 74, Art. VIII, B, sec. 1. -- Created 1960 Ky. Acts ch. 114, sec. 5.