

## CHAPTER 35

## (HB 273)

AN ACT relating to county law libraries.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

Section 1. KRS 172.100 is amended to read as follows:

- (1) A county law library shall be established in each county seat and the fiscal court of each county shall designate sufficient room in the courthouse, ~~or~~ in a building of good construction adjacent to the courthouse, ***in the local public library, or in a building where sessions of the District or Circuit Court are regularly held, or a combination of the foregoing***, where such library shall be located and where the books ***and materials*** of the library may be safely kept.
- (2) The books of the county law library shall consist of all volumes belonging to the state heretofore sent to the various county officials directed by law to receive such books, and all volumes hereafter sent to such library by the state, and all books now owned or hereafter acquired by the county for the library. The counties may ***provide on-line legal resources, and may*** acquire books, maps, or other articles for the library by purchase, gift or devise.

Section 2. KRS 172.200 is amended to read as follows:

- (1) Upon the adoption of this optional plan, in counties other than those containing a city of the first class or consolidated local government, the Circuit Judge shall appoint one (1) member of the county's bar, and the members of the county's bar shall, by majority vote, elect another of their number, which two (2) attorneys shall, with the county attorney of the county, constitute and be designated as "Trustees, .... County Law Library." In counties containing a city of the first class or consolidated local government, the Chief Circuit Judge shall appoint one (1) member of the county's bar; the members of the county's bar shall, by majority vote, elect another of their number; the fiscal court or consolidated local government pursuant to the provisions of KRS 67C.139 shall appoint one (1) member, and one (1) member shall be appointed by the Commonwealth's attorney, which four (4) attorneys shall, with the county attorney of the county, constitute and be designated as "Trustees, ..... County Law Library" or in a county containing a consolidated local government, "Trustees, ...../.....County Law Library," which shall be a combination of the names of the largest city in existence on the date of the approval of the consolidated local government and the county.
- (2) The trustees shall serve for a term of two (2) years or until their successors are elected or qualified.
- (3) The trustees shall be in charge of the county law library, and they shall make purchases of the various state and federal case reports, textbooks, legal encyclopedia, and all other books usually incident to or customarily found in law libraries, or necessary to the protection of the rights of litigants, and they shall cause same to be properly arranged in the county law library, directing the ex officio librarian in the exercise of his duties. ***The trustees may also provide on-line legal resources for the use of library patrons.***
- (4) The trustees shall exercise their absolute discretion in the purchase of books, pamphlets, periodicals, and other materials, and in the appointment and compensation of personnel to assist the ex officio librarian in the handling of materials and in the maintenance of the library, but the trustees shall not contract for any such purchases and appointments so as to create an indebtedness greater than the anticipated revenue for the following eighteen (18) months, the anticipated revenue being based upon the preceding eighteen (18) months' revenue, and any indebtedness of the county law library fund shall not be considered in any way an indebtedness of the county, but shall be an indebtedness of the county law library fund only, and all creditors must look only to the county law library fund for satisfaction of their indebtedness.

- (5) The trustees shall designate one (1) of their number as treasurer and he shall be accountable for the receipt, deposit, and disbursement of all sums received for the operation of the county law library. He shall be bonded by a corporate bond, the cost of which shall be paid out of the receipts of the library fund. He shall deposit all sums received by him as treasurer in a regular banking depository, and he shall pay for all purchases made by the trustees by check or draft, keeping a true and accurate account of all sums received and expended by him. He shall annually file a written report with the Circuit Judge of the county showing all sums received by him, together with the court from which they were received, and an itemized statement of all expenditures made by him. The treasurer shall turn all funds over to his successor, together with a full inventory of the county law library, and together with a full and complete itemized statement of all outstanding accounts.

**Approved March 21, 2007.**