

# FINAL BILL REPORT

## HB 1281

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Synopsis as Enacted

**Brief Description:** Modifying the appointment process for trustees of rural county library districts in counties with one million or more residents.

**Sponsors:** Representatives Fitzgibbon and Stokesbary.

**House Committee on Local Government**  
**Senate Committee on Local Government**

### **Background:**

#### Library Districts.

A county, city, town, or library district may establish and maintain a library, either by itself or in cooperation with one or more other governmental units. Library districts are taxing districts and fall into four categories:

1. Rural county library districts provide library service to the entire area of a county outside of the area of incorporated cities and towns.
2. Island library districts provide library service for all areas outside of incorporated cities and towns on a single island only.
3. Rural partial-county library districts provide library service to a portion of the unincorporated area of a county.
4. Intercounty rural library districts provide library services to the entire area outside of incorporated cities or towns within two or more counties.

The management and control of a library is vested in a board of five or seven. The number and manner of appointment of library trustees depends on whether the library was established by a city or town, county, or library district. A person may not be appointed to any board of trustees for more than two consecutive terms.

In rural county library districts, five trustees are appointed by the board of county commissioners. The initial board appointments for rural county library districts are for terms of one, two, three, four, and five years respectively. Thereafter, trustees of rural county library districts are appointed to serve for five-year terms.

Library trustees are required to:

- adopt bylaws, rules, and regulations for the governance of the library;

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- have the supervision, care, and custody of library property;
- employ a librarian and other assistants, prescribe their duties, set their compensation, and remove them for cause;
- submit an annual budget to the legislative body;
- control the finances of the library;
- accept gifts of money or property for library purposes;
- lease or purchase land for library buildings;
- acquire property and lease, purchase, or erect buildings for library purposes;
- purchase books, periodicals, maps, and supplies for the library; and
- do other acts necessary for the management and control of the library.

Home Rule Charter.

The state Constitution provides for two forms of county government: (1) a "commission" form; and (2) a "home rule charter" form.

Under the commission form of county government, a county's governing body consists of a board of commissioners who are elected on a partisan basis and perform legislative and executive functions. Counties may choose to adopt a home rule charter that provides for a form of government other than the commission form. Seven of 39 counties are charter counties.

**Summary:**

For a rural county library district within a county that adopted a home rule charter and has a population of 1 million or more residents, the library's board will have seven trustees. Trustees must be appointed by the county executive and confirmed by the county legislative authority.

Members appointed to the board of trustees for these library districts must be residents of other:

- cities and towns that, through annexation, have become part of the rural county library district; or
- unincorporated areas of the county that represent the geographical diversity of the library district.

The initial seven-member board of trustees includes the existing five trustees, who will serve out their existing terms, and two new trustees, one of whom will have an initial term of one year, and the other a term of two years. Thereafter, trustees are appointed to fill vacancies and will serve for a term of five years.

**Votes on Final Passage:**

House	82	15
Senate	48	0

**Effective:** July 23, 2017