

GEORGIA CODE
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*** Current through the 2008 Regular Session ***

TITLE 20. EDUCATION
CHAPTER 5. LIBRARIES
ARTICLE 2. LOCAL AND REGIONAL PUBLIC LIBRARIES
PART 2. COUNTY AND REGIONAL PUBLIC LIBRARIES

O.C.G.A. § 20-5-40 (2008)

§ 20-5-40. Power of local governments to establish public libraries; procedures for establishment

(a) The governing authority of any county or municipality may establish a public library system. Any public library established pursuant to this part shall be a tax-exempt institution.

(b) A public library may be established in the following manner:

(1) By resolution or act, at the discretion of the governing authority, of any county or municipality, or any combination thereof;

(2) By approval of the voters of any county or municipality in a referendum election on the question of the establishment of a public library as provided in this paragraph. Upon a written petition containing 35 percent of the registered and qualified voters of a municipality or county being filed with the appropriate governing authority, the governing authority shall be required to hold and conduct a special referendum election for the purpose of submitting to the qualified voters of the municipality or county the question of whether or not a public library, as provided for in this part, shall be authorized. In the event a majority of the persons voting in the election vote in favor of the public library, then the governing authority of the municipality or county shall establish a public library as provided in this part. Otherwise, the governing authority shall have no authority to do so. Following the expiration of two years after any election is held which results in disapproval of a public library, as provided in this part, another election on this question shall be held if another petition, as provided in this paragraph, is filed with the appropriate governing authority; or

(3) By contractual agreement between the governing authorities of any county or municipality.

HISTORY: Code 1981, § 20-5-40, enacted by Ga. L. 1984, p. 1005, § 1.