

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. § 20-5-48 (2008)

§ 20-5-48. Ownership of library property

(a) A clear title in fee simple to an approved site on which a library facility is to be located shall be held by either the library board of trustees or the county or municipality. Title to property used for library purposes shall be vested in the library board of trustees or in that local agency which makes the major financial contribution toward construction costs. Notwithstanding any provision in this part to the contrary, any facility, the title to which currently is held by a nonprofit organization and which is now being operated by a public library board of trustees, may continue to be operated by that library board of trustees if the operation of that facility by the board of trustees meets the standards of the Office of Public Library Services of the Board of Regents of the University System of Georgia; and the title to that facility may remain in the hands of that nonprofit organization. When the composition of a library system is changed or when the library system is dissolved and the title is vested in the library board of trustees, the Office of Public Library Services of the Board of Regents of the University System of Georgia shall serve as mediator in determining ownership of property.

(b) Other property including, but not limited to, equipment and materials that were purchased with state, federal, or contract funds coming through the system budget shall be owned by the system board of trustees and shall be placed or transferred where it is most useful. Upon dissolution or significant structural change within the system, such property shall be divided on a pro rata basis according to the proportion of financial costs of property borne by the involved parties. The library system board of trustees shall furnish the financial and statistical information considered by the parties attempting to reach agreement. If the parties are unable to reach a mutually agreeable solution, the final decision of property ownership shall be made by the Office of Public Library Services of the Board of Regents of the University System of Georgia or its designee.

HISTORY: Code 1981, § 20-5-48, enacted by Ga. L. 1984, p. 1005, § 1; Ga. L. 1985, p. 149, § 20; Ga. L. 1986, p. 10, § 20; Ga. L. 1996, p. 167, § 11; Ga. L. 2000, p. 618, § 88.