

1999 WL 1333434 (Miss.A.G.)

Office of the Attorney General  
State of Mississippi

Opinion No. 1999-0630

December 3, 1999

Re: Requirements of Section 13-3-31 for publication of legal notices

Hon. Gerald A. Dickerson  
Attorney at Law

Dear Mr. Dickerson:

Attorney General Mike Moore has received your request for an Official Opinion from this office and has assigned it to me for research and reply.

Your letter states and asks:

The George County Board of Supervisors wishes an interpretation of [Section 13-3-31 of the Mississippi Code of 1972](#) in regard to the following factual situation.

1. Two newspapers are regularly distributed and published in George County: the George County Times which is a weekly newspaper domiciled in Lucedale, George County, and The Mississippi Press which is domiciled in Pascagoula, Jackson County, with offices in Lucedale and has an ancillary publication called the Community Press which is a special section included in The Mississippi Press.
2. The business office of the George County Times is located in Lucedale, and the office of The Mississippi Press is located in Lucedale. Both newspapers have published more than twelve months in their present location.

Simply stated, can the George County Board of Supervisors publish legal notices in either newspaper after bidding for services as provided by [Section 21-39-3 of the Mississippi Code of 1972](#)?

Because of the length of [Section 13-3-31 of the Mississippi Code of 1972](#), a copy thereof is attached hereto for ease of reference.

It appears from the facts stated in your letter that both newspapers are published in George County, thereby meeting such statutory requirement. It is our opinion that all the qualifications of [Section 13-3-31](#) are equally important and that a newspaper must meet all the qualifications to be qualified to publish legal notices. However, this office does not make determinations of facts such as those necessary to decide if a particular newspaper meets all the factual requisites for a paper to publish legal notices. *See* MS AG Op., Haque (May 22, 1990), a copy of which is enclosed for your reference.

Very truly yours,  
Mike Moore

Attorney General

By: Edwin T. Cofer  
Special Assistant Attorney General

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