

2000 WL 1511858 (Miss.A.G.)

Office of the Attorney General
State of Mississippi

Opinion No. 2000-0488

September 8, 2000

Re: Authority to select newspaper for publication of notice of tax sale

Robert P. Shepard, Esquire
Attorney at Law

Dear Mr. Shepard:

Attorney General Mike Moore has received your request and has assigned it to me for research and reply. You state the following facts.

Pursuant to a notice to bidders, a county has accepted a bid of a newspaper which has its main office in another county, but which has a branch office in the county in question to publish all county proceedings. The county also has a local newspaper which has been published in the county for more than 50 years, but which did not submit a bid for publication and consequently, did not get the county's business.

You ask whether the George County Tax Collector is required to publish the tax sale notice in the newspaper which bid on publication of county proceedings in general. In other words, where a county has awarded a bid for publication of its legal notices, must the tax sale notice be published in the newspaper which won the bid. You secondly ask whether the George County Board of Supervisors may solicit bids specifically for publishing the tax sale notice and then require the Tax Collector to use the newspaper selected by the Board of Supervisors.

Whether or not the newspaper which has won the bid for general publication of county legal notices is entitled to publish the tax sale would depend on the particular facts involved in that bid circumstance; your request does not present adequate facts upon which to give an opinion, and this office will not comment upon a factual determination.

We opine that the Tax Collector has the authority to select the newspaper in which the tax sale notice is to be published as long as said paper has been chosen by the board of supervisors to publish legal notices in accordance with bid and publication laws.

Very truly yours,
Mike Moore
Attorney General

By: Samuel D. Habeeb
Special Assistant Attorney General

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