



STATE OF KANSAS

Office of the Attorney General

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Curt T. Schneider
Attorney General

January 5, 1976

ATTORNEY GENERAL OPINION NO. 76- 2

Mr. Douglas S. Brunson
Kiowa County Attorney
Kiowa County Courthouse
Greensburg, Kansas 67054

Re: Counties--Legal Notices--Publication

Synopsis: An elected county official may, in the performance of the duties of his or her office, publish required legal notices in any newspaper which meets the requirements of K.S.A. 64-101 and any other statutory requirements which may be specially applicable to particular notices, and is not restricted to a newspaper designated as the official county newspaper by formal action of the board of county commissioners. However, in the exercise of county home rule powers, the board of county commissioners might prohibit the expenditure of county funds for the publication of any legal notice in any newspaper except that designated by the board as the official county newspaper.

* * *

Dear Mr. Brunson:

You request my opinion whether an elected county officer, in the performance of the duties of that office, may "publish official county business in a local newspaper not designated as the official county paper by the County Commissioners."

I find no statutory reference to an official county newspaper, and thus no statutory requirement of general application that every notice required by law to be published in the conduct of the business of every county office be published in that

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newspaper or newspapers which have been designated as official county newspapers by formal action of the board of county commissioners.

It is accordingly my opinion that a county official may, in the performance of the duties of his or her office, publish required legal notices in any newspaper which meets the requirements of K.S.A. 64-101, and any other statutory requirements specially applicable to particular notices. It is further my opinion that in the exercise of county home rule powers under K.S.A. 19-101a, the board of county commissioners might, by local legislative action, prohibit the expenditure of county funds for the publication of legal notices in any newspaper except that which has been designated by formal action of the board as the official county newspaper.

Yours very truly,



CURT T. SCHNEIDER

Attorney General

CTS:JRM:kj