



## Constitutional Officers Association of Georgia

### Bibb County Officers

Honorable Erica L. Woodford  
Clerk of Superior Court

Honorable David J. Davis  
Sheriff of Bibb County

Honorable Sarah S. Harris  
Judge of Probate Court

Honorable S. Wade McCord  
Tax Commissioner

June 27, 2025

#### Notice of Intent to Designate New Legal Organ

To Whom It May Concern,

Pursuant to O.C.G.A. §§ 9-13-142 et. seq., the Bibb County Constitutional Officers (Bibb COAG), Honorable Erica L. Woodford, Clerk of Superior Court, Honorable Sarah S. Harris, Judge of Probate Court, Honorable David J. Davis, Sheriff of Bibb County, and Honorable S. Wade McCord, Tax Commissioner, will be designating a new legal organ for Macon-Bibb County.

Eligibility requirements for legal organs are enumerated in O.C.G.A. § 9-13-142, which is attached as exhibit A.

Any eligible legal organ so designated by Bibb COAG must agree to comply with Georgia laws, including but not limited to the rates for legal advertisements set forth in O.C.G.A. § 9-13-143, attached as exhibit B.

Applicants for designation as Macon-Bibb's legal organ must submit, by July 15, 2025, the following information: 1. Name of publication, 2. Name, phone number, and email address of office contact person, 3. Office address and phone number, 4. Circulation/print frequency (daily/weekly/etc), 5. breakdown of paid circulation (home/mail delivery subscriptions, counter, vendor, news rack sales, independent contract carriers for resale).

Should you have any questions, concerns, or need further information, please contact us at [bibbcoag@maconbibb.us](mailto:bibbcoag@maconbibb.us).

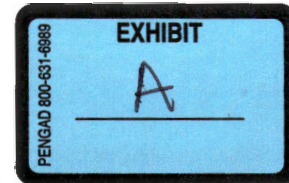
Respectfully,

Hon. Erica L. Woodford

Hon. David J. Davis

Hon. Sarah S. Harris

Hon. S. Wade McCord



Document: O.C.G.A. § 9-13-142

## O.C.G.A. § 9-13-142

### Copy Citation

Current through Act 6 of the 2025 Regular Session of the General Assembly but not including corrections and changes made by the Office of Legislative Counsel.

**Official Code of Georgia Annotated    TITLE 9 Civil Practice (Chs. 1 — 17)    CHAPTER 13**  
**Executions and Judicial Sales (Arts. 1 — 7)    Article 7 Judicial Sales (Pts. 1 — 2)    PART 1**  
**Advertisement (§§ 9-13-140 — 9-13-145)**

**9-13-142.** Requirements for official organ of publication; designation where no journal or newspaper qualifies; how official organ changed; notice to Secretary of State.

**(a)** No journal or newspaper published in this state shall be declared, made, or maintained as the official organ of any county for the publication of sheriff's sales, citations of probate court judges, or any other advertising commonly known in terms of "official or legal advertising" and required by law to be published in such county official newspaper unless the newspaper shall meet and maintain the following qualifications:

**(1)** "Newspaper" as used in this Code section means a printed product of multiple pages containing not greater than 75 percent advertising content in no more than one-half of its issues during the previous 12 months, excluding separate advertising supplements inserted into but separately identifiable from any regular issue or issues of the newspaper;

**(2)** The newspaper shall be published within the county and continuously at least weekly for a period of two years or is the direct successor of such a newspaper. Failure to publish for not more than two weeks in any calendar year shall not disqualify a newspaper otherwise qualified;

**(3)** For a period of two years prior to designation and thereafter, the newspaper shall have and maintain at least 75 percent paid circulation as established by an independent audit. Paid circulation shall not include newspapers that are distributed free or in connection with a service or promotion at no additional charge to the ultimate recipient. For circulation to be considered paid, the recipient of the newspaper or

such recipient's employer or household must pay reasonable and adequate consideration for the newspaper. No rules of circulation of audit companies, the United States Postal Service, or accounting principles may be considered in determining paid circulation if they are inconsistent with the provisions of this subsection;

**(4)** Based on the published results of the 1990 United States decennial census or any future such census, the newspaper shall have and maintain at least the following paid circulation within the county for which it is designated as the legal organ newspaper:

**(A)** Five hundred copies per issue in counties having a population of less than 20,000;

**(B)** Seven hundred fifty copies per issue in counties having a population of at least 20,000 but less than 100,000; or

**(C)** One thousand five hundred copies per issue in counties having a population of 100,000 or greater; and

**(5)** For purposes of this Code section, paid circulation shall include home or mail delivery subscription sales, counter, vendor and newsrack sales, and sales to independent newspaper contract carriers for resale. Paid circulation shall not include multiple copies purchased by one entity unless the multiple copies are purchased for and distributed to the purchaser's officers, employees, or agents, or within the purchaser's household.

**(b)**

**(1)** In counties where no journal or newspaper meets the qualifications set forth in subsection (a) of this Code section, the official organ may be designated by the judge of the probate court, the sheriff, and the clerk of the superior court, or by a majority of these officers governing from among newspapers otherwise qualified to be a legal organ that meet the minimum paid circulation in subsection (a) of this Code section for the county, or if there is no such newspaper, then the newspaper having the greatest general paid circulation in the county of at least 100 copies per issue.

**(2)** In the event that no otherwise qualified journal or newspaper has a paid circulation of at least 100 copies per issue in the county, the judge of the probate court, the sheriff, the clerk of the superior court, or a majority of these officers may designate a newspaper that does not meet the qualifications of subsection (a) of this Code section, but does have a weekly circulation in the county of at least 100 copies per issue, as the legal interim organ for the county. Such interim designation shall terminate in the event that another newspaper meets the qualifications of subsection (a) of this Code section and is designated as the county's legal organ pursuant to this Code section.

**(c)** Any selection or change in the official organ of any county shall be made upon the concurrent action of the judge of the probate court, the sheriff, and the clerk of the superior court of the county or a majority of the officers. No change in the official legal organ shall be effective without the publication for four weeks of notice of the decision to make a change in the newspaper in which legal advertisements have previously been published. All changes in the official legal organ shall be made effective on January 1 unless a change has to be made where there is no other qualified newspaper.

**(d)** Notwithstanding the other provisions of this Code section, an official organ of any county meeting the qualifications under the statute in force at the time of its appointment and which was appointed prior to

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July 1, 1999, may remain the official organ of that county until a majority of the judge of the probate court, the sheriff, and the clerk of the superior court determine to appoint a new official organ for the county.

(e) During the month of December in each year, the judge of the probate court of each county shall notify the Secretary of State, on a form supplied by the Secretary of State, of the name and mailing address of the journal or newspaper currently serving as the official organ of the county. The judge of the probate court shall also likewise notify the Secretary of State of any change in the official organ of the county at the time that such change is made. The Secretary of State shall maintain at all times a current listing of the names and addresses of all county organs and shall make such list available to any person upon request.

History

Laws 1850, Cobb’s 1851 Digest, p. 580.; Code 1863, § 3577; Code 1868, § 3600; Code 1873, § 3650; Code 1882, § 3650; Civil Code 1895, § 5460; Ga. L. 1910, p. 87, § 1; Code 1910, § 6065; Code 1933, §§ 39-1103, 39-1107; Ga. L. 1953, Nov.-Dec. Sess., p. 271, § 1; Ga. L. 1989, p. 1248, § 1; Ga. L. 1992, p. 1035, § 1; Ga. L. 1997, p. 528, § 1; Ga. L. 1999, p. 6, § 2; Ga. L. 2023, p. 535, § 1/HB 254, effective July 1, 2023; Ga. L. 2024, p. 1052, § 6(2)/SB 448, effective July 1, 2024.

▼ Annotations

Notes

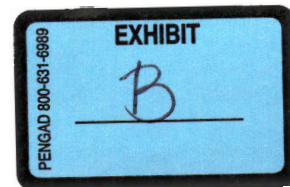
Amendments.

**The 2023 amendment**, effective July 1, 2023, designated the existing provisions of subsection (b) as paragraph (b)(1); in paragraph (b)(1), inserted “or by”, “paid”, and added “of at least 100 copies per issue” at the end; and added paragraph (b)(2).

**The 2024 amendment**, effective July 1, 2024, part of an Act to revise, modernize, and correct the Code, in paragraph (b)(1), substituted “In counties” for “However, in counties” in the beginning and substituted “circulation in subsection (a) of this Code section” for “circulation in the preceding subsection”; and, in paragraph (b)(2), deleted “of paragraph (1)” following “qualifications” in the first sentence.

Code Commission notes.

Pursuant to Code Section 28-9-5, in 1999, in subsection (a), punctuation was revised at the end of paragraphs (a)(1) through (a)(3), “United States” was substituted for “U.S.” in paragraph (a)(3), and “; and” was substituted for a period at the end of subparagraph (a)(4)(C); and a comma was inserted in subsections (d) and (e).



Document: O.C.G.A. § 9-13-143

## O.C.G.A. § 9-13-143

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**Advertisement (§§ 9-13-140 — 9-13-145)**

### 9-13-143. Rates for legal advertisements.

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**(a)** The rates to be allowed to publishers for publishing legal advertisements shall be as follows:

- (1)** For each 100 words, not more than the sum of \$15.00 for each insertion for the first four insertions; and
- (2)** For each subsequent insertion, not more than the sum of \$14.00 per 100 words.

In all cases fractional parts of 100 words shall be charged for at the same rate as for 100 words.

**(b)** For the purpose of the computation in subsection (a) of this Code section, a block of numbers or a block of letters and numbers shall be counted as one word. If the block of numbers or letters or any combination thereof contains a hyphen, a semicolon, a colon, or other similar character or punctuation mark, the block shall still be counted as one word, provided there are no intervening spaces. When an intervening space does occur, this space shall mark the start of a new word.

**(c)** No judge of the probate court, sheriff, coroner, clerk, marshal, or other officer shall receive or collect from the parties, plaintiff or defendant, other or greater rates than set forth in this Code section.

### History

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Ga. L. 1878-79, p. 81, § 1; Code 1882, § 3704a; Civil Code 1895, § 5461; Civil Code 1910, § 6066; Ga. L. 1920, p. 86, § 1; Code 1933, § 39-1105; Ga. L. 1949, p. 566, § 1; Ga. L. 1953, Nov.-Dec. Sess., p. 271, § 2; Ga. L. 1964, p. 77, § 1; Ga. L. 1965, p. 174, § 1; Ga. L. 1968, p. 126, § 1; Ga. L. 1975, p. 52, § 1; Ga. L. 1981, p. 1808, § 1; Ga. L. 1985, p. 1042, § 1; Ga. L. 1989, p. 325, § 1; Ga. L. 1993, p. 91, § 9; Ga. L. 1995, p. 992, § 1; Ga. L. 1996, p. 6, § 9; Ga. L. 2023, p. 535, § 2/HB 254, effective July 1, 2023.

## ▼ Annotations

### Notes

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#### **Amendments.**

**The 2023 amendment**, effective July 1, 2023, in subsection (a), substituted "\$15.00" for "\$10.00" in paragraph (a)(1), substituted "\$14.00" for "\$9.00" in paragraph (a)(2), and in the undesignated paragraph following paragraph (a)(2), inserted "of 100 words" and substituted "same rate as for 100 words" for "same rates".

### JUDICIAL DECISIONS

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#### **Multiple tax advertisements published en bloc treated as separate paragraphs. —**

When a sheriff has caused to be published a notice of a large number of tax advertisements, written en bloc, with one general heading and one general closing, with the sheriff's name at the end, but set forth in separate paragraphs therein a complete advertisement of property of each defendant in each tax execution, with all necessary jurisdictional facts, each of the paragraphs is a separate and distinct advertisement for the purpose of computing advertising rates so as to entitle the publisher to collect fees therefor on said paragraphs on the basis that each paragraph is a separate advertisement as per the rates prescribed by this section. *Georgia Cracker v. Hesters*, 193 Ga. 706, 20 S.E.2d 7, 1942 Ga. LEXIS 468 (1942).

### Opinion Notes

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#### **OPINIONS OF THE ATTORNEY GENERAL**

#### **Punctuation marks not considered words. —**

This section fixes basis for legal rate on number of "words" and on words only, and in dealing with this section, "punctuation marks" cannot be in any sense construed as "words." 1948-49 Ga. Op. Att'y Gen. 32.

In legal advertisements, figures may be charged for but punctuation marks may not. 1948-49 Ga. Op. Att'y Gen. 33.

#### **Sale at less than legal rate. —**