

SENATE, No. 2008

STATE OF NEW JERSEY

INTRODUCED APRIL 17, 1997

By Senator KOSCO

1 AN ACT concerning the office of sheriff and amending N.J.S.40A:9-  
2 108.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. N.J.S.40A:9-108 is amended to read as follows:

8 40A:9-108. No person shall hold any other civil office during the  
9 time he holds and exercises the office of sheriff and by acceptance of  
10 the latter office his former office shall be deemed vacated, provided,  
11 however, that the governing body of any county may, by ordinance or  
12 resolution, as appropriate, provide that any person holding and  
13 exercising the office of sheriff may simultaneously hold and exercise  
14 the office of county disaster control coordinator but shall not receive  
15 any compensation or any other benefits otherwise attached to the  
16 office of county disaster control coordinator during such time as such  
17 person shall hold both such offices. As used in this section, the term  
18 "civil office" does not mean an unpaid, part-time position on any  
19 public board, commission, committee or similar body.

20 (cf: P.L.1979, c.99, s.1)

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22 2. This act shall take effect immediately.

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STATEMENT

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27 Current law prohibits dual office holding by county sheriffs.  
28 Although this law serves a useful purpose in preventing possible  
29 conflicts of interest, it has been narrowly interpreted at times to  
30 prevent a sheriff from serving part-time without compensation on a  
31 board, commission or committee. Thus, sheriffs have been denied the  
32 opportunity to share their knowledge and experience to the benefit of  
33 the public by serving on bodies such as the Police Training  
34 Commission. This bill would permit a sheriff to serve in an unpaid,

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 part-time capacity on any public commission, board or committee.

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6 Permits sheriff to hold unpaid position on public board or commission.