

P.L. 2021, CHAPTER 58, *approved April 19, 2021*

Senate, No. 2973

1 **AN ACT** creating the office of deputy superintendent of elections in
2 counties of the fifth class and amending P.L.1992, c.17 and
3 P.L.1947, c.167.

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

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8 1. Section 1 of P.L. 1992, c.17 (C.19:32-26.1) is amended to
9 read as follows:

10 1. The governing body of a county of the second or fifth class
11 in which the office of superintendent of elections for the county has
12 been established pursuant to section 1 of P.L.1947, c.167 (C.19:32-
13 26) may establish, by ordinance or resolution, as appropriate, the
14 office of deputy superintendent of elections. The office of deputy
15 superintendent of elections in each such county shall be filled by a
16 suitable person who shall be nominated by the Governor with the
17 advice and consent of the Senate, who shall not be from the same
18 political party as the superintendent of elections, and who shall hold
19 office for a term of five years, running concurrently with the term
20 of the superintendent and until the deputy superintendent's
21 successor is appointed and has qualified. The initial appointment to
22 the office of deputy superintendent of elections may be for a partial
23 term, as appropriate. Vacancies shall be filled in the same manner
24 as the original appointment but shall be for the unexpired term only.
25 The annual salary of a deputy superintendent of elections shall be
26 90% of the salary received by the superintendent of elections of the
27 same county for performing the duties of superintendent of
28 elections and commissioner of registration. The office of the
29 deputy superintendent of elections shall be located in the county
30 making the appointment.
31 (cf: P.L.1992, c.17, s.1)

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33 2. Section 24 of P.L.1947, c.167 (C.19:32-49) is amended to
34 read as follows:

35 24. In addition to the foregoing, the superintendent of elections
36 is constituted the commissioner of registration for the county and he
37 shall, within the county, have and exercise all the powers of, and be
38 charged with all the duties had and exercised and required to be
39 performed by, the superintendent of elections and the commissioner
40 of registration in any county, including the custody and control of
41 voting machines heretofore or hereafter installed in the county in
42 any manner provided by law, except those heretofore or hereafter

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

Matter underlined thus is new matter.

1 installed in any municipality by the governing body thereof, which
2 shall be placed and remain in the custody of the municipal clerk
3 unless taken over by the county according to law. The deputy
4 superintendent of elections in counties of the first class, and in
5 counties of the second and fifth **【class】** classes in which the
6 governing body has established the office of superintendent of
7 elections for the county, is constituted the deputy commissioner of
8 registration.

9 (cf: P.L.1992, c.17, s.5)

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11 3. This act shall take effect immediately.

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14 STATEMENT

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16 This bill would permit the governing body of a county of the
17 fifth class to create the office of deputy superintendent of elections
18 once the office of superintendent of elections has been established.
19 The deputy superintendent of elections would be filled by a suitable
20 person nominated by the Governor with the advice and consent of
21 the Senate. The person cannot be from the same political party as
22 the superintendent of elections and will serve a five-year term
23 concurrent with the term of the superintendent of elections.
24 Vacancies will be filled in the same manner as the original
25 appointment but the successor shall only serve for the duration of
26 the unexpired term. The deputy superintendent would also serve as
27 the deputy commissioner of registration.

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32 Creates office of deputy superintendent of elections in counties
33 of fifth class.