

ASSEMBLY CONCURRENT RESOLUTION No. 157

STATE OF NEW JERSEY 222nd LEGISLATURE

INTRODUCED OCTOBER 15, 2026

Sponsored by:

Assemblyman JOHN DIMAIO

District 23 (Hunterdon, Somerset and Warren)

Assemblyman ERIK PETERSON

District 23 (Hunterdon, Somerset and Warren)

Co-Sponsored by:

Assemblymen DePhillips, Scharfenberger, Assemblywomen Flynn and Fantasia

SYNOPSIS

Proposes constitutional amendment to require Legislature to approve person appointed by Governor to fill vacancy in Office of Lieutenant Governor.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/15/2026)

1 A **CONCURRENT RESOLUTION** proposing to amend Article V,
2 Section I, paragraph 9 of the Constitution of the State of New
3 Jersey.

4
5 **BE IT RESOLVED** *by the General Assembly of the State of New*
6 *Jersey (the Senate concurring):*

7
8 1. The following proposed amendment to the Constitution of the
9 State of New Jersey is hereby agreed to:

10
11 PROPOSED AMENDMENT

12
13 Amend Article V, Section I, paragraph 9, to read as follows:

14 9. In the event of a vacancy in the office of Lieutenant Governor
15 resulting from the death, resignation, or removal of a Lieutenant
16 Governor in office or the death of a Lieutenant Governor-elect or
17 from any other cause, the Governor shall appoint a Lieutenant
18 Governor within forty-five days of the occurrence of the vacancy to
19 fill the unexpired term. The Lieutenant Governor shall take office
20 upon confirmation by a majority vote of each House of the
21 Legislature.

22 If a Lieutenant Governor becomes Governor, or in the event of
23 simultaneous vacancies in the offices of Governor and Lieutenant
24 Governor, a Governor and a Lieutenant Governor shall be elected to
25 fill the unexpired terms of both offices at the next general election,
26 unless the assumption of the office of Governor by the Lieutenant
27 Governor, or the vacancies, as the case may be, occur within sixty
28 days immediately preceding a general election, in which case they
29 shall be elected at the second succeeding general election. No
30 election to fill the unexpired terms shall be held in any year in which
31 a Governor and Lieutenant Governor are to be elected for full terms.
32 A Governor and Lieutenant Governor elected for unexpired terms
33 shall assume their offices immediately upon their election.
34 (cf: Art.V, Sec.I, par.9; amended effective January 17, 2006)

35
36 2. When this proposed amendment to the Constitution is finally
37 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
38 shall be submitted to the people at the next general election occurring
39 more than three months after the final agreement and shall be
40 published at least once in at least one newspaper of each county
41 designated by the President of the Senate, the Speaker of the General
42 Assembly and the Secretary of State, not less than three months prior
43 to the general election.

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
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
3. This proposed amendment to the Constitution shall be submitted to the people at that election in the following manner and form:
- There shall be printed on each official ballot to be used at the general election, the following:
- a. In every municipality in which voting machines are not used, a legend which shall immediately precede the question as follows:
- If you favor the proposition printed below make a cross (X), plus (+), or check (✓) in the square opposite the word "Yes." If you are opposed thereto make a cross (X), plus (+) or check (✓) in the square opposite the word "No."
- b. In every municipality the following question:

	YES	CONSTITUTIONAL AMENDMENT TO REQUIRE VACANCY IN OFFICE OF LIEUTENANT GOVERNOR BE FILLED UPON APPROVAL BY LEGISLATURE Do you approve amending the State Constitution to require the Legislature to approve the person the Governor appoints to fill a vacancy in the Office of Lieutenant Governor? The Legislature has no role in the appointment. Currently, the Governor appoints a new Lieutenant Governor to fill a vacancy in that office.
	NO	INTERPRETIVE STATEMENT Under current law, the Governor has 45 days to appoint a person to fill a vacancy in the Office of Lieutenant Governor. A vacancy can be caused if the Lieutenant Governor dies, resigns, is removed from office, or becomes Governor. The Legislature has no role in filling the vacancy. This amendment requires the Legislature to approve the person the Governor picks to fill the vacancy. Under this amendment, the person the Governor picks to fill the vacancy would take office only after approval by a majority vote in each House of the Legislature.

14

15

16

17

18

19

STATEMENT

This concurrent resolution proposes to amend the New Jersey Constitution to require the Legislature to approve a person appointed

1 by the Governor to fill a vacancy in the Office of Lieutenant
2 Governor.

3 Currently, when a vacancy in the Office of Lieutenant Governor
4 occurs, the Governor has 45 days to appoint a new person. A vacancy
5 in the office can be caused by the death, resignation or removal of a
6 Lieutenant Governor, or the death of a Lieutenant Governor-elect, or
7 any other cause. The Legislature does not participate in that
8 appointment.

9 This proposed constitutional amendment would require the
10 Legislature to approve the Governor's appointee to fill a vacancy in
11 the Office of Lieutenant Governor. Under this amendment, the
12 Governor's appointee will take office only if the Legislature
13 approves that appointee by a majority vote.