



1411 New York Ave. NW
Suite 900
Washington, D.C. 20005
202-525-5717

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Testimony from:
Matthew Germer, Director, Governance, R Street Institute

In OPPOSITION to SB 137, “An Bill . . . to generally prohibit the use of ranked choice voting and to withhold Local Government Fund distributions from a municipality or chartered count that uses ranked choice voting”

February 20, 2024

Senate General Government Committee

Chair Rulli, Vice Chair Schuring, Ranking Member DeMora and Members of the Committee:

Thank you for considering my testimony. My name is Matthew Germer, and I conduct research on election reform for the R Street Institute, a nonprofit, nonpartisan public policy research organization. Our mission is to engage in policy research and outreach to promote free markets and limited, effective government across a variety of policy areas, including election reform. This is why Senate Bill 137 is important to us.

When it comes to election reform, state legislatures should be focused on improving the voting experience for all eligible voters while ensuring trustworthy elections conducted by local election administrators. Senate Bill 137 undercuts these principles by prohibiting localities from using ranked-choice voting (RCV) to conduct their elections.

In an RCV election, voters express their preferences by rank-ordering the candidates. Voters answer more than just “who is your favorite candidate?” Rather, they answer “how do you feel about each candidate relative to the others?” The difference between these questions may seem subtle, but the result is substantially more voice for the voter. If voters are comfortable with more than one candidate, they can say so. If they prefer a lesser-known candidate, they can show support without worrying about the spoiler effect. And because the RCV vote-tallying system continues until one candidate reaches majority support, voters have more opportunities to contribute to that victory.¹ In short, RCV empowers voters.

Importantly, RCV is able to provide these benefits without substantial drawbacks. Concerns over “disenfranchisement” are unfounded and do not hold up to scrutiny.² Under RCV, voters are empowered to vote for as few or as many candidates as they wish. If a voter chooses to vote for only one candidate and that candidate turns out to be unpopular, their vote means no less under RCV than it does under a winner-take-all system. In fact, RCV most benefits these very voters by offering them the



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chance to rank additional candidates and contribute to the final outcome of the election. RCV gives all voters more power, not less.

Senate Bill 137 is particularly concerning because it undermines limited-government principles by restricting local control over local elections, and in doing so strips power away from voters. While it is understandable to have concerns about adjusting the way votes are cast and counted, the conservative approach should be to let each locality decide for itself how to select its leaders. After all, much in the way that state governments are more accountable and responsive to the people than the federal government—the foundation of our federalist system—our localities are similarly more accountable and responsive to the people than the state and should be given wide latitude.

We encourage Ohio to take a similar approach to Utah, which has allowed its localities to experiment with RCV to great success. Overwhelming majorities—between 80 and 90 percent—enjoyed ranking candidates in local elections and found RCV easy to use.³

Unfortunately, SB 137 prevents Ohioans from ever choosing to enjoy the benefits of RCV in their own cities and counties. Accordingly, we encourage the committee to uphold conservative principles and oppose this bill.

Thank you for your time,

Matthew Germer
Director, Governance
R Street Institute
(714) 609-6288
mgermer@rstreet.org

¹ Matthew Germer, “Restoring Losers’ Consent: A Necessary Step to Stabilizing Our Democracy,” *R Street Policy Study* No. 240, September 2021. <https://www.rstreet.org/wp-content/uploads/2021/09/Final-No.-240.pdf>.

² “Ranked-Choice Voting,” Lawyers Democracy Fund, last accessed Jan. 31, 2023. <https://lawyersdemocracyfund.org/other-issues/ranked-choice-voting>.

³ Robert Gehrke, “Polling shows the public liked ranked choice voting, but Robert Gehrke explains why expanding it might be tough,” *The Salt Lake Tribune*, Nov. 15, 2021. <https://www.sltrib.com/news/politics/2021/11/15/polling-shows-public>.