Chairwoman Ray, Ranking Member Brent, and members of the General Government Committee, I am testifying to record my opposition to Senate Bill 63 Prohibit use of ranked choice voting; withhold funding for use. I oppose this bill because it is a form of government overreach that would violate home rule authority by infringing on the right of local governments to govern their own elections. Home Rule Authority is important to allow municipalities to pass laws and regulations that benefit their own town and municipalities.

This law would undermine and come in conflict with Article XVIII Section 3 and Section 7 of the Ohio Constitution which gives municipalities the power of local self-government and Home Rule with the ability to adopt or amend their charter. Section 3 explicitly states "municipalities shall have authority to exercise all powers of local self-government". Coercing cities to stop using ranked choice voting goes against these important values. If the state withholds funding, these cities wouldn't be able to operate, making it impossible to use this authority.

Furthermore, there is legal precedent for upholding these principles such as State ex rel. Sherrill v. Brown from 1951 that went before the Ohio Supreme Court. This was a case involving a conflict between local government and the state where the municipality was trying to set their own election rules, and the state was attempting to overrule them. The Ohio Supreme Court ruled that municipalities did have the power to conduct their own elections using the methods of their choosing, thus upholding the principle of Home Rule. It is my belief that Senate Bill 63 would violate this ruling as it would punish municipalities for exercising Home Rule Authority.

Furthermore, Ranked Choice Voting is beneficial for voters of all parties as shown in states where it has been implemented. For example, in 2021 in Utah a survey was conducted by the Herbert Institute for Public Policy at Utah Valley University in which 75% of voters found Ranked Choice voting both simple and easy. Additionally, after Arlington County Virgina piloted Ranked Choice Voting in 2023, an exit poll conducted by FairVote showed 88% of voters found Ranked Choice Voting easy to use and 67% expressed interest in using Ranked Choice Voting in future elections. Also, a poll conducted in Alaska in September 2023 by

Patinkin Research Strategies and Alaskans for Better Elections found a majority of Alaskans understood Ranked Choice Voting and believed it was a positive change for the state.

In conclusion, it is my belief municipalities should be empowered to implement Ranked Choice Voting if they choose to. When Ranked Choice Voting has been implemented it has been easy to understand and popular with voters. Therefore, I urge the committee not to weaken or infringe upon this right by passing SB 63. I would like to thank the committee for taking the time to read and consider my testimony.

Regards,

Nicholas Gomez-Kling