Testimony Before the Ohio Senate General Government Committee in support of SB 63

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Chairwoman Roegner and Members of the Committee,

My name is Cameron Sholty and I am the Executive Director of Heartland Impact. Heartland Impact is the advocacy and outreach affiliate of The Heartland Institute, a nearly 40-year-old public policy research organization based in Arlington Heights, Illinois. Both are independent, national, nonprofit organizations working to discover, develop, and promote free-market solutions to social and economic problems. Heartland Impact specializes in providing state lawmakers the policy and advocacy resources to advance free-market policies towards broad-based economic prosperity.

Thank you for this opportunity to voice support for SB 63. SB 63 would prohibit the use of so-called Ranked Choice Voting (RCV) voting in any Ohio election. Simply: a move away from traditional Election Day voting would devolve into a complicated system that would disenfranchise voters without any real discernible reason or benefit.

As lawmakers in Ohio consider banning RCV, it is important to look at the experiences of other states and municipalities that have either repealed RCV or are thinking about doing so. While RCV is often praised for its potential to improve voter representation and reduce negative campaigning, its implementation has led to significant challenges in practice.

Thirteen states have already banned RCV. In Missouri, 70% of voters supported a constitutionally enshrined ban on RCV. Moreover, Wyoming and West Virginia have similarly banned RCV.

Several states and municipalities that initially adopted ranked choice voting have faced serious issues, leading them to reconsider or repeal the system. For example, San Francisco, known for its progressive policies, has seen growing dissatisfaction with RCV. Voters consistently report confusion about how to rank candidates, resulting in calls for a return to traditional voting methods. Similar concerns have been voiced in cities like Minneapolis and New York, where residents expressed frustration with the process and the outcomes of elections held under RCV.

In 2023, Minnesota proposed a statewide RCV bill that would impose many of the same things SB 63 would. The experiences of the municipal elections in Minnesota caused legislators to wisely pump the brakes. Secretary of State Steve Simon, a former House member and supporter of RCV, had a word of caution for his fellow democrats in the legislature.

"Minnesota is not yet ready for statewide ranked-choice voting," Simon said. "Leave aside whether it's a good thing or a bad thing to do, I can tell you that it's an extraordinarily complicated thing to do. There are a lot of moving parts. You've heard here, including from a very esteemed guest, that Maine and Alaska do this statewide. But Minnesota is not Maine and Alaska."

These experiences serve as important lessons for Ohio lawmakers. The complexities of RCV can create confusion among voters, often resulting in higher rates of ballot errors and, in some cases, disenfranchisement. As seen in San Francisco, even those who initially supported the reform began to question its effectiveness, suggesting that RCV may not be the solution it was once thought to be.

A major reason for the repeal of ranked choice voting in various areas is the complexity it adds to the electoral process. In Maine, where RCV was implemented statewide, many voters struggled to understand how to rank candidates correctly, which led to an increase in spoiled ballots. This trend was echoed in New York City, where voters found the ballot design confusing, contributing to a decline in turnout.

In 2018, Maine's first trial with RCV left 9,000 voters with uncounted ballots because of exhausted ballots. There were 126,139 valid votes cast in Maine's Democratic primary. In the final round, only 117,250 ballots were counted. The other ballots didn't count in the final tally because they did not include rankings for the top two candidates. That translates to more than 6 percent of voters who tried to cast a ballot but had the same impact on the election as they would if they had just stayed home.

In Ohio, where ensuring voter education and accessibility is essential, introducing a complicated voting system would certainly alienate voters. Lawmakers should continue to focus on reforms that ensure the system's integrity and inspire voter confidence.

The experiences from municipalities that have repealed RCV highlight the risk of disenfranchisement associated with complex voting systems. Many voters, particularly those who are elderly, have limited education, or belong to marginalized communities, may find the ranked choice system overwhelming.

Ranked choice voting has also presented significant challenges for candidates and political parties in areas where it has been implemented. In Minneapolis, candidates reported difficulties in developing campaign strategies that resonate with a broad audience while still staying true to their core messages. The need to appeal for second-choice votes can dilute party platforms and create confusion among voters regarding candidates' genuine positions.

Moreover, as seen in New York, RCV has resulted in complicated and prolonged vote counting processes, frustrating candidates and their supporters. The potential for extended election outcomes can erode public trust in the electoral system, particularly in jurisdictions that have faced contentious elections under RCV.

The administrative challenges and costs related to implementing ranked choice voting have also influenced the repeal efforts of various municipalities. The need for new technology, additional training for election officials, and thorough voter education initiatives can overwhelm already

constrained resources. In San Francisco, for example, the expenses associated with RCV were seen as excessive, diverting funds from other critical areas of election administration.

While advocates of ranked choice voting argue that it can reduce negative campaigning and promote cooperation, the reality in places like New York has shown that it can lead to increased partisanship. Candidates may feel pressured to attack their opponents to secure their position as a viable second choice, resulting in a cycle of negativity that can alienate voters. This outcome can further polarize the political environment, undermining the collaborative spirit that RCV aims to foster.

Given the experiences of other states and municipalities that have repealed or reconsidered ranked choice voting, Ohio lawmakers should appropriately ban RCV. The complexities of RCV, the risks of voter confusion and disenfranchisement, the challenges it poses for candidates and political parties, the administrative burdens, and the potential for increased partisanship all present compelling reasons to ban it in Ohio.