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Chair Roegner, Vice Chair Gavarone, Ranking Member Blackshear, and members of the Senate General Government Committee, thank you for the opportunity to present sponsor testimony on Substitute Senate Bill 382.

Substitute Senate Bill 382 proposes a modernization of Ohio's election laws by establishing a top two primary system for congressional offices and certain statewide and state legislative offices. Specifically, the bill creates an open primary for "voter-nominated offices," under which all candidates for covered offices appear on a single ballot, regardless of party affiliation, and the two candidates receiving the highest number of votes advance to the November general election. This reform is intended to broaden voter participation, reduce structural barriers within our current primary system, and encourage the election of candidates who appeal to a broader cross-section of Ohio voters.

At the outset, it is important to define exactly what this legislation does—and what it does not do. The top-two system proposed in this bill is distinct from what is often referred to as a "jungle primary," a term commonly associated with Louisiana's historical election model. Under Louisiana's former system, all candidates competed in a single nonpartisan election, and if one candidate received more than fifty percent of the vote, that candidate was immediately elected. Only if no candidate received a majority would the top two advance to a later runoff. That is not the model before us today.

Instead, Substitute Senate Bill 382 adopts what is more commonly known as the California-style top-two system. Under this model, all candidates compete in a single open primary, and the top two finishers—regardless of party affiliation—advance to the general election. This preserves the importance of the November election while ensuring that every voter has equal access to the primary process.

This reform is necessary because Ohio's current system increasingly fails to reflect the preferences and participation of the broader electorate. In many districts across our state, particularly legislative districts, the decisive election is not the November general election; it is the partisan primary. In practical terms, a relatively small percentage of highly motivated primary voters effectively determines the outcome in most legislative races. This creates a system in which a narrow slice of the electorate chooses the overwhelming majority of officeholders, while unaffiliated and independent voters are often denied meaningful participation altogether.

That exclusion has consequences. Ohioans are increasingly dissatisfied with state government and the institutions that govern them. According to the April 2026 Bowling Green State

University statewide poll, only fourteen percent of Ohioans reported that they trust state government to do the right thing most of the time, and notably, zero percent reported trusting state government to do the right thing all the time. Those numbers should concern every member of this body. They reflect a growing disconnect between Ohioans and their elected institutions—one that demands thoughtful reform.

Substitute Senate Bill 382 responds to that challenge by opening the primary process to all voters. It allows independents and unaffiliated voters—who represent a rapidly growing portion of Ohio's electorate—to participate fully in the candidate selection process. It reduces the "spoiler effect," where multiple candidates with similar views split votes and unintentionally benefit a less representative candidate. And it encourages candidates to build broader coalitions by appealing not merely to the most ideologically intense segment of one party, but to a wider and more diverse electorate.

This concept is not untested. California adopted its top-two system largely through a reform movement supported by then-Governor Arnold Schwarzenegger and others who believed that closed partisan primaries were rewarding ideological rigidity rather than practical governance. Their objective was to encourage the election of more pragmatic public officials and reduce incentives for polarization. While no electoral system can completely solve those challenges, many observers agree that the reform has moved California in that direction.

At the same time, we should be candid: the top-two system is not a perfect system.

Like any election model, it has limitations and can produce unintended consequences. Strategic political behavior remains possible. For example, in California's 2024 United States Senate race, substantial outside spending was directed toward elevating a weaker opposing candidate in order to shape the general election matchup. We have seen similar strategic behavior here in Ohio, where outside political actors have invested resources to influence opposition ballot composition for tactical gain.

Likewise, the top-two system can occasionally produce unusual results due to vote fragmentation. One frequently cited example occurred in California's 2022 State Senate District 4 race, where six Republican candidates split the vote in a Republican-leaning district, allowing two Democratic candidates to advance and ultimately handing the seat to the opposite party. These outcomes can and do occur.

But acknowledging these imperfections does not weaken the case for reform. Rather, it underscores the seriousness with which we should evaluate any electoral change. The question before this committee is not whether the top-two system is flawless. It is whether it improves upon the current system Ohio uses today.

I believe it does. It broadens voter participation. It gives independent and unaffiliated Ohioans a meaningful voice. It reduces the outsized power of low-turnout partisan primaries. And it creates stronger incentives for candidates to seek common ground with a broader electorate. In short, it is a step forward.

It is also important to recognize that election reform is evolutionary. Throughout our nation's history, our electoral systems have changed as our society and democratic expectations have changed. We have expanded suffrage, modernized ballot access, improved transparency, and adapted our institutions to meet new public expectations. Substitute Senate Bill 382 should be viewed in that same spirit—as a measured, thoughtful improvement designed to better align Ohio's election system with the needs and expectations of today's voters.

It is not presented as a final answer to every challenge in our democracy. No reform can claim that. But it is a serious and constructive improvement over the status quo.

For those reasons, I respectfully ask for the committee's favorable consideration of Substitute Senate Bill 382. Thank you, and I would be happy to answer any questions.

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