

Legislative Update

In an election year that was billed nationally as a “nail-bitter,” the outcomes in Ohio’s races were largely unsurprising and won by comfortable leads.

At the top of the ticket, Governor Mike DeWine and Lieutenant Governor Jon Husted executed a massive victory over former Dayton mayor Nan Whaley and Cuyahoga County City Councilwoman Cheryl Stephens. Gov. DeWine outperformed the 20 point lead he enjoyed in polls in the spring and the 15 point lead from polls released earlier this fall, winning a second term with 62.79% of the vote.

The slate of Republican statewide candidates made a clean sweep. Attorney General Dave Yost, Auditor of State Keith Faber, Secretary of State Frank LaRose, and Treasurer of State Robert Sprague cruised to reelection, with all besting their Democrat opponents by nearly 20 points. The Republican Supreme Court Justices also dominated in all three races. Justice Sharon L. Kennedy defeated Justice Jennifer Brunner for the Chief Justice position 56.31% to 43.69%, and incumbent Justices Pat DeWine and Pat Fischer prevailed over the Democratic challengers Judge Marilyn Zayas and Judge Terri Jamison 56.55% to 43.45% and 57.15% to 42.85% respectively. The vacancy created by Justice Kennedy’s elevation to Chief Justice will be filled by a Gov. DeWine appointment and the Republicans will maintain their 4-3 majority on the court.

In perhaps the most closely watched and hotly contested race of the night, JD Vance won the Senate seat vacated by Rob Portman over Congressman Tim Ryan 53.28% to 46.72%. Although much closer than all the other statewide races, Senator Vance still claimed a decisive victory, especially considering Congressman Ryan out-fundraised Sen. Vance by \$35M and most polls heading into the election signaled a much tighter race.

In the Ohio Statehouse races, the Senate Republican caucus won a historic majority, winning 11 of the 17 races and taking control of a staggering 26 seats within the 33 seat upper chamber for the first time in 70 years. Senate Republicans handily fended off challenges to incumbents including Kristina Roegner of Hudson, OH, who won the closest Senate race of the evening 51.18% to 48.82%. Incumbent Franklin County Democrat Tina Maharath was unseated by Michelle Reynolds to cement the Senate Republicans’ ongoing supermajority. In the Ohio House, preliminary results indicate that the House Republicans improved upon their current 65 to 35 majority by winning open seats and defeating incumbent Democrats Thomas West and Richard Brown. Brown’s district will be subject to an automatic recount triggered by results within .5% and outstanding absentee or provisional ballots could potentially impact this and other close races, but at this time House Republicans appear to have increased their majority to 68 seats.

Democrats were able to add to their Congressional delegation with Cincinnati City Councilman Greg Landsman defeating longtime Congressman Steve Chabot. In other high profile Ohio Congressional races, Republican candidates vocally endorsed by President Trump lost. Former Ohio House Minority Leader Emilia Sykes defeated Madison Gesiotto Gilbert in the race for

Ohio's 13th Congressional District and incumbent Marcy Kaptur won over JR Majewski. Following the midterm results, Republicans hold 10 of 15 Ohio Congressional districts.

Ohio has moved away from its prior swing state status and further solidified its standing as a red state. As with races all over the country, the major undercurrents in this election were the influence of Donald Trump and the overturning of *Roe v. Wade*. Many of the outcomes noted above, particularly the U.S. Senate race, indicate that traditional Republicans who have not closely aligned with former President Trump are outperforming Trump candidates in Ohio. Sen. Vance fell nearly 13 percentage points behind the rest of the Republican statewide officeholders. While Democrats hoped that the Dobbs decision would invigorate moderate women voters, ultimately this did not change the outcome in their favor in any of Ohio's statewide races. However, it is very possible and plausible that the Supreme Court's decision in Dobbs and the perceived importance of the judiciary to this issue could be the driving force behind the average 7 percentage point underperformance of Republican Supreme Court Justices relative to the Republican Attorney General, Auditor, Treasurer, and Secretary of State candidates. Both of these phenomena could point towards a heightened propensity of Ohio voters to engage in split ticket voting in future elections.

Note: This article was approved for publication on November 10, and the numbers contained within reflect the unofficial results at that time. Results are unofficial until the Ohio Secretary of State certifies the results of the election following their review of the county boards of elections' official canvass reports. As of November 7, the day by which absentee ballots must be postmarked, the Secretary of State's office reported 154,042 outstanding absentee ballots. Outstanding absentee ballots have up to 10 days after the election to arrive at their respective county board of elections to be counted and outstanding provisional ballot numbers may also result in changes to the numbers contained in this article.