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Phone: +1 646 783 7100 | Fax: +1 646 783 7161 | customerservice@law360.com

State AG Race Wins Set To Give Dems Control Of Most Offices

By **Madison Arnold**

Law360 (November 4, 2026, 5:00 PM EST) -- Democrats are poised to oversee a majority of state attorneys general offices around the country after Tuesday's elections saw the party hang on to all of its existing seats and flip control of five offices from the Republicans, according to unofficial election results.

Alongside sweeping Democratic victories for U.S. House and U.S. Senate seats, the elections would leave the party in control of AG offices in 28 states and Washington, D.C., at a time when state enforcers have become more prominent in taking on the federal government and wading into national policy fights.

Overall, Democrats are expected to secure 22 of the 31 AG seats that were on Tuesday's ballot — including control of offices in Georgia, Texas, Iowa, Kansas and Ohio, all of which are currently held by Republicans. The GOP is not expected to flip control of any AG offices held by Democrats.

Stephen Cobb, vice chair of Foley & Lardner LLP's state attorneys general practice, said Wednesday in a statement that the election results "underscore the increasingly powerful role state attorneys general are playing as regulators and enforcers."

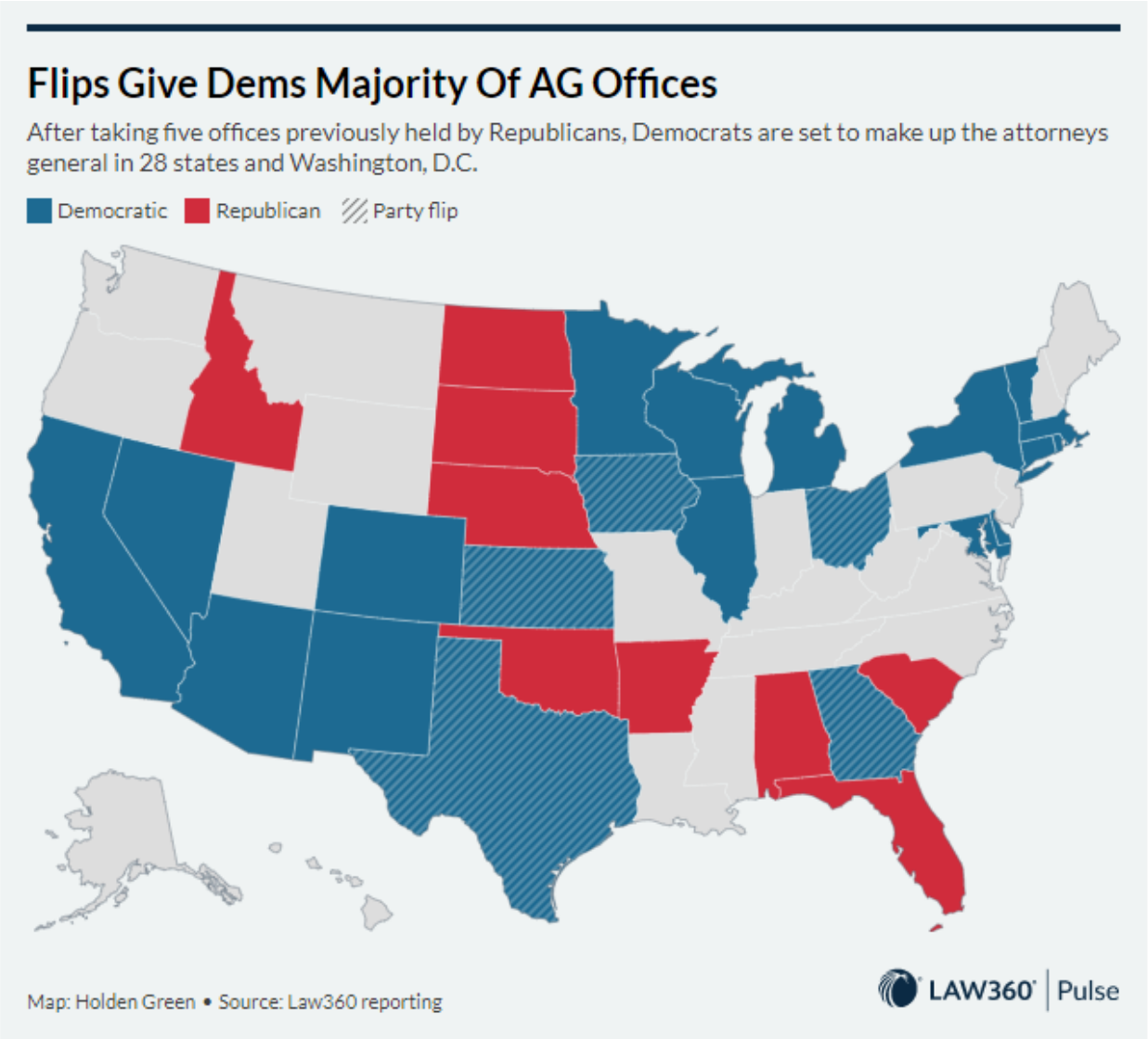
"This is not a passing moment. Companies should look closely at the priorities incoming state AGs emphasized on the campaign trail and how they begin staffing their offices, as those early decisions can provide an important window into where enforcement attention may be headed next — especially with a new era of leadership in states like Texas, Kansas, Georgia and Michigan," Cobb said.

Among the AG races where Democrats gained control, Nathan Johnson defeated Republican Mayes Middleton in the race for Texas AG, and Democratic state Rep. Tanya Miller won Georgia's AG race over Republican state Sen. Brian Strickland.

In the other three power-shifting elections, the results indicate that Nate Willems beat Republican Brenna Bird in Iowa, John J. Kulewicz overcame Republican Keith Faber in Ohio, and Chris Mann defeated Republican Kris Kobach in Kansas. Mann has claimed victory but Kobach has not conceded.

One undercurrent among many of those who flipped attorney general seats is "they focus on their states and their issues as opposed to larger overarching national trends," Cobb added in an interview Wednesday.

"I think they made their races exactly about how they're going to stick up for their constituents, and



clearly the voters agreed with those priorities," he said.

Attorneys Amanda Robinson and Alison Tanchyk from Morgan Lewis & Bockius LLP said in a joint statement to Law360 Pulse Wednesday that changes in party control could reshape multistate enforcement coalitions and the priorities those states pursue.

Tanchyk is leader of the firm's state attorneys general practice, and Robinson is co-leader of its congressional investigations practice.

"Texas is particularly noteworthy given the prominent role its attorney general's office has played in Republican-led litigation involving federal policy, ESG, and antitrust issues. With new leadership, Texas could reassess its participation in certain Republican-led enforcement efforts while placing greater emphasis on consumer protection and competition enforcement," Robinson and Tanchyk said.

The incoming AGs in Georgia and Iowa "have likewise identified priorities that could reshape state enforcement, with Georgia's AG-elect emphasizing pricing practices and utility costs and Iowa's AG-elect pledging greater attention to wage theft and consumer protection," they added.

The nine state attorney general races won by Republicans on Tuesday are Alabama, Arkansas, Florida, Idaho, Nebraska, North Dakota, Oklahoma, South Carolina and South Dakota. Republican incumbents held onto five of their seats while the other four wins came from open races.

The Democrats maintained control in Arizona, California, Colorado, Connecticut, Delaware, Illinois, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Mexico, New York, Rhode Island, Vermont, Wisconsin and Washington, D.C.

While the results may change the direction of some politically divided enforcement efforts, Robinson and Tanchyk said they still expect continuity in areas where attorneys general have found common ground. Those include affordability, consumer pricing practices, data privacy, cybersecurity and artificial intelligence, according to them. Scrutiny of those issues is likely to continue, they said.

"Recent bipartisan multistate settlements, along with coordinated efforts addressing AI safety, underscore that cooperation across party lines remains an important feature of state AG enforcement," Robinson and Tanchyk said.

They added: "State AGs have long worked together across party lines, and they have broad authority under existing consumer protection and antitrust laws to address emerging issues without waiting for new federal legislation. But bipartisan interest in an issue does not necessarily mean agreement on enforcement approaches. What may change following these elections is which states lead certain investigations, the legal theories they advance, the remedies they seek, and where they choose to collaborate."

Cobb added in Wednesday's interview that issues like affordability and ethics are likely going to be "hallmarks for the priorities for many of these AGs."

"These AGs also talked about the willingness to work with others, and so one of the greatest strengths the state attorneys general have is when they work together in multistate coalitions. And so when you have Georgia and Texas and Kansas willing to join some of those larger dialogs, that is certainly a lot of additional heft added to a group effort," he said.

--Additional reporting by Emma Cueto and Jack Karp. Editing by Adam LoBelia.

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