

As Offered

**130th General Assembly
Regular Session
2013-2014**

H. R. No. 130

Representative Huffman

RESOLUTION

Relative to the contest of election in the 98th House 1
District. 2

WHEREAS, a Select Committee consisting of Representatives 3
Huffman (Chair), Stautberg (Vice Chair), Dovilla, Pelanda, 4
Stebelton, Clyde (Ranking Member), Curtin, Redfern, and Strahorn 5
has been appointed by the Speaker of the House to inquire into and 6
make a full and complete review of the record of proceedings 7
before the Ohio Supreme Court in Case No. 2012-2151, a Contest of 8
Election proceeding regarding the November 2012 general election 9
for the 98th House District, involving Joshua E. O'Farrell, 10
Contestor vs. Al Landis, Contestee, and to make such findings and 11
recommendations as the facts warrant, and 12

WHEREAS, said Select Committee has now made a full and 13
complete review of the record, and has found that the 2012 general 14
election in the 98th Ohio House District which comprises 15
Tuscarawas County and parts of Holmes County was conducted in 16
compliance with the Ohio Constitution, Ohio statutes, Ohio 17
Secretary of State directives, and all other applicable law, and 18

WHEREAS, the Select Committee, upon considering all of the 19
evidence taken before Chief Justice Maureen O'Connor of the 20
Supreme Court of Ohio, finds that that the people of the 98th Ohio 21
House District, which comprises Tuscarawas County and parts of 22
Holmes County, have been provided the opportunity of a fair 23
election, and 24

WHEREAS, the Select Committee further finds that that the 25
seating of Al Landis, the Representative-Elect from the 98th 26
District holding the certificate of election, is valid by reason 27
of the constitutional conduct of said election in Tuscarawas and 28
Holmes Counties, and 29

WHEREAS, Article II, Section 6 of the Constitution of Ohio 30
requires that the House assume and exercise the responsibility of 31
judging the election, returns, and qualifications of its own 32
members, in particular, the member from the 98th Ohio House 33
District, and 34

RESOLVED, by the House, that it is hereby declared that the 35
2012 general election for the office of State Representative for 36
the 98th Ohio House District has been lawfully and 37
constitutionally conducted; and be it further 38

RESOLVED, by the House, that the seating of Al Landis, the 39
Representative-elect from the 98th District holding the 40
certificate of election is valid and shall continue, and he shall 41
continue to exercise the rights and privileges of a member in 42
accordance with the results of the 2012 general election in the 43
98th Ohio House District. 44