

§ 18B-602. Form of ballots.

(a) Malt Beverage Elections. – Any one or more of the propositions listed below may be placed on the ballot for a malt beverage election. Each voter may vote on each proposition on the ballot. The propositions to be used shall be chosen by the governing body or petitioner requesting the election. The propositions shall read as follows:

- (1) To permit the "on-premises" and "off-premises" sale of malt beverages.
 FOR
 AGAINST
- (2) To permit the "on-premises" sale only of malt beverages.
 FOR
 AGAINST
- (3) To permit the "off-premises" sale only of malt beverages.
 FOR
 AGAINST
- (4) To permit the "on-premises" sale of malt beverages by Class A hotels, motels, and restaurants only; and to permit "off-premises" sales by other permittees.
 FOR
 AGAINST

(b) Determining Results of Malt Beverage Election. – The kind of malt beverage sales described in each proposition that receives a majority of votes "FOR" shall be allowed. If propositions (2) and (4) are both on the ballot and (2) receives a majority of votes "FOR," then sales shall be permitted according to that proposition regardless of the vote on (4). If one of the propositions receiving a majority of votes "FOR" is proposition (1), then the kind of sales described in that proposition shall be allowed regardless of the vote on any other proposition at that election.

(c) Subsequent Malt Beverage Elections. – A subsequent election in which a majority votes "AGAINST" malt beverage proposition (1) shall not affect the legality of sales that have previously been approved under proposition (2), (3), or (4). A subsequent election in which a majority votes "AGAINST" malt beverage proposition (2) or (3) shall not affect the legality of sales that have previously been approved under proposition (4).

(d) Unfortified Wine Elections. – Any one or more of the propositions listed below may be placed on the ballot for an unfortified wine election. Each voter may vote on each proposition on the ballot. The propositions to be used shall be chosen by the governing body or petitioner requesting the election. The propositions shall read as follows:

- (1) To permit the "on-premises" and "off-premises" sale of unfortified wine.
 FOR
 AGAINST
- (2) To permit the "on-premises" sale only of unfortified wine.
 FOR
 AGAINST
- (3) To permit the "off-premises" sale only of unfortified wine.
 FOR
 AGAINST

(e) Determining Results of Unfortified Wine Election. – The kind of unfortified wine sales described in each proposition that receives a majority of votes "FOR" shall be allowed. If one of the propositions receiving a majority of votes "FOR" is proposition (1), then the kind of sales described in that proposition shall be allowed, regardless of the vote on any other proposition at that election.

(f) Subsequent Unfortified Wine Election. – A subsequent election in which a majority votes "AGAINST" unfortified wine proposition (1) shall not affect the legality of sales previously approved under proposition (2) or (3).

(g) ABC Store Elections. – The ballot for an ABC store election shall state the proposition as follows:

To permit the operation of ABC stores.

FOR

AGAINST

(h) Mixed Beverage Elections. – The ballot for a mixed beverage election shall state the proposition as follows:

To permit the sale of mixed beverages in hotels, restaurants, private clubs, community theatres, and convention centers and the "on-premises" and "off-premises" sale of malt beverages and unfortified wine in qualified establishments.

FOR

AGAINST

(1947, c. 1084, ss. 1, 2, 4; 1951, c. 999, ss. 1, 2; 1957, c. 816; 1963, c. 265, ss. 1-3; 1965, c. 506; 1969, c. 647, s. 1; 1971, c. 872, s. 1; 1973, c. 33; 1977, c. 149, s. 1; c. 182, s. 2; 1979, c. 140, s. 3; c. 683, s. 13; 1981, c. 412, s. 2; 1981 (Reg. Sess., 1982), c. 1262, s. 9; 1983, c. 583, s. 6; 2021-150, s. 13.1(a).)