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1987-2020
27th Legislative District



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Testimony of Thomas V. Mike Miller, Jr.
Senate Bill 765 - Alcoholic Beverages-License Applications
Durational Residency Requirements

Chairman Pinsky and Committee Members:

Senate Bill 765 is a response to the June 2019 Supreme Court decision in *Tennessee Wine & Spirits Association v. Tennessee Alcoholic Beverage Commission*. In this case, the Court reviewed whether Tennessee's 2 year durational residency requirement was constitutional. The Supreme Court held that it was not, causing many states with durational residency requirements to re-evaluate their own laws. Maryland has a 2 year durational residency requirement and this bill will eliminate that to comply with the Court's decision.

A durational requirement requires a person to live in a jurisdiction for a period of time before they can obtain a license. This bill will still require a person to be a resident of their jurisdiction when they apply for the license and while they hold the license, but will eliminate the requirement to live in that jurisdiction for 2 years prior to applying for a license.

This bill was drafted as narrowly as possible to ensure compliance with the Supreme Court holding. For these reasons, I respectfully ask the Education, Health, and Environmental Affairs Committee for a favorable report on Senate Bill 765.