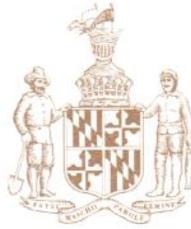


KATHLEEN M. DUMAIS  
Legislative District 15  
Montgomery County

Vice Chair  
Economic Matters Committee

Chair  
Property and Casualty Insurance  
Subcommittee

House Chair  
Joint Committee on Legislative Ethics



The Maryland House of Delegates  
6 Bladen Street, Room 231  
Annapolis, Maryland 21401  
410-841-3052 · 301-858-3052  
800-492-7122 Ext. 3052  
Fax 410-841-3219 · 301-858-3219  
Kathleen.Dumais@house.state.md.us

*The Maryland House of Delegates*  
ANNAPOLIS, MARYLAND 21401

February 17, 2020

**Testimony in Support of House Bill 902 – Alcoholic Beverages – License Application –  
Durational Residency Requirements**

Good afternoon Mr. Chairman and members of the committee. Thank you for the opportunity to speak to you on behalf of **House Bill 902 – Alcoholic Beverages – License Application – Durational Residency Requirements**.

This legislation simply codifies the holding of the U.S. Supreme Court in *Tennessee Wine and Spirits Retailers Ass. V. Russel Fl. Thomas, Executive Director of the Tennessee Alcoholic Beverage Commission, et al.*, 139 S. Ct. 2449 (2019). The Court held that Tennessee's requirement that an alcoholic beverages license applicant live in the state for a certain duration violates the Commerce Clause of the U.S. Constitution.

So that Maryland law comply with the U.S. Constitution, House Bill 902 strikes the requirement that the applicant be a resident of the State for at least two years before applying for certain statewide and local alcohol beverage permits and licenses. It instead requires that the applicant be a resident at the time the application is filed and remains a resident for the duration of time the permit is in effect. The bill also strikes the requirement that the applicant or license holder be a registered voter or taxpayer for two years prior to applying, and instead requires that a licensee be a registered voter or taxpayer at the time of filing the application and during the license period.

Due to the importance of our code being compliant with the U.S. Constitution, this measure shall take effect July 1, 2020. I respectfully request a favorable report for House Bill 902.