

Effect:

- Removes the provision that would make it unlawful for an employer in Washington to terminate a current employee based on a positive cannabis screening test.

- Allows a Washington employer to fail or refuse to hire a prospective employee because the employee submitted to a screening test and the test indicated the presence of cannabis, if the prospective employee is applying for any of the following positions:
 - o Commissioned law enforcement officer, corrections officer, employee of a law enforcement entity, or positions in which the employee will carry a firearm; and
 - o Members of active duty, reserves, and National Guard military armed forces.

1 AN ACT Relating to the employment of individuals who lawfully
2 consume cannabis; and adding a new section to chapter 49.44 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 49.44
5 RCW to read as follows:

6 (1) Except as otherwise specifically provided in law and as
7 provided in subsection (2) of this section, it is unlawful for any
8 employer in this state to fail or refuse to hire a prospective
9 employee because the prospective employee submitted to a screening
10 test and the results of the screening test indicate the presence of
11 cannabis.

12 (2) Subsection (1) of this section does not apply:

13 (a) If compliance would cause an employer to lose a monetary or
14 licensing-related benefit under federal law;

15 (b) To the extent it is inconsistent or otherwise in conflict
16 with the provisions of an employment contract or collective
17 bargaining agreement;

18 (c) To the extent it is inconsistent or otherwise in conflict
19 with the provisions of federal law;

20 (d) To a position of employment funded by a federal grant;

1 (e) To a position in which the employee is a commissioned law
2 enforcement officer, corrections officer, employee of a law
3 enforcement entity, or positions in which the employee will carry a
4 firearm; or

5 (f) To members of active duty, reserves, and national guard
6 military armed forces.

7 (3) For the purposes of this section:

8 (a) "Cannabis" has the meaning provided for "marijuana" under RCW
9 69.50.101; and

10 (b) "Screening test" means a test of a person's blood, urine,
11 hair, or saliva to detect the general presence of a controlled
12 substance or any other drug.

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