

ACT No. 651

2022 Regular Session

HOUSE BILL NO. 988

BY REPRESENTATIVE LANDRY

1 AN ACT

2 To enact R.S. 49:1016, relative to state employment; to provide relative to state employees
3 and potential state employees who use medical marijuana; to prohibit certain
4 employment actions against such employees and potential employees; to provide for
5 exceptions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 49:1016 is hereby enacted to read as follows:

8 §1016. Employment discrimination; physician recommended marijuana

9 A. No state employer shall subject an employee or prospective employee to
10 negative employment consequences based solely on a positive drug test for
11 marijuana, marijuana components, including tetrahydrocannabinols, or marijuana
12 metabolites if the employee or prospective employee has been clinically diagnosed
13 as suffering from a debilitating medical condition and a licensed physician has
14 recommended marijuana for therapeutic use by the employee in accordance with
15 R.S. 40:1046.

16 B. Subsection A of this Section shall not be construed to prohibit the
17 imposition of negative employment consequences on an employee who uses or is
18 impaired by marijuana on the premises of the employer or during work hours or an
19 employee whose principal responsibility is to operate a state vehicle, maintain a state
20 vehicle, or supervise any employee who drives or maintains a state vehicle.

1 C. The provisions of this Section shall not apply to emergency medical
2 services, law enforcement, public safety officials, any state employee of the horse
3 racing commission, and firefighter services.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____