

2026 Regular Session

HOUSE BILL NO. 460

BY REPRESENTATIVE MANDIE LANDRY

EMPLOYMENT/DISCRIMINATION: Provides relative to employment discrimination against certain employees being treated with medical marijuana

1 AN ACT

2 To enact R.S. 49:1016(D), relative to state employment; to provide for the use of medical  
3 marijuana by certain state employees and potential state employees; to provide for  
4 applicability for certain entities and persons within the state classified service and  
5 unclassified service; to provide for applicability for the State Civil Service  
6 Commission and all appointing authorities; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 49:1016(D) is hereby enacted to read as follows:

9 §1016. Employment discrimination; physician recommended marijuana

10 \* \* \*

11 D. The provisions of this Section shall apply to all departments, agencies,  
12 and employees within the state classified service and unclassified service and shall  
13 be binding upon the State Civil Service Commission and all appointing authorities.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 460 Original

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Mandie Landry

**Abstract:** Provides that provisions of law, which prevent employment discrimination based on medical marijuana usage, be applicable to certain entities and employees within certain state government departments and agencies.

Present law prohibits a state employer from subjecting an employee or prospective employee to negative employment consequences based solely on a positive drug test for marijuana if the employee or prospective employee has been clinically diagnosed as suffering from a debilitating medical condition and a licensed physician has recommended marijuana for therapeutic use by the employee in accordance with present law.

Present law provides that present law shall not be construed to prohibit the imposition of negative employment consequences on an employee who uses or is impaired by marijuana on the premises of the employer or during work hours.

Present law also provides that present law shall not be construed to prohibit the imposition of negative employment consequences on an employee whose principal responsibility is to operate or maintain a state vehicle or being a supervisor of any employee who drives or maintains a state vehicle.

Present law provides that present law shall not apply to emergency medical services, law enforcement, public safety officials, any state employee of the horse racing commission, and firefighter services.

Proposed law retains present law.

Proposed law provides that present law shall apply to all departments, agencies, and employees within the state classified service and unclassified service and shall be binding upon the State Civil Service Commission and all appointing authorities.

(Adds R.S. 49:1016(D))