AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

§1016. Employment discrimination; physician recommended marijuana

A. No state employer shall subject an employee or prospective employee to negative employment consequences based solely on a positive drug test for marijuana, marijuana components, including tetrahydrocannabinols, or marijuana metabolites 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 R.S. 40:1046.

B. Subsection A of this Section 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 or an employee whose principal responsibility is to operate a state vehicle, maintain a state vehicle, or supervise any employee who drives or maintains a state vehicle.

CODING: Words in struck through type are deletions from existing law; words underscored are additions.
C. The provisions of this Section shall not apply to emergency medical services, law enforcement, public safety officials, any state employee of the horse racing commission, and firefighter services.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________________

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