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.
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.