

2024 Regular Session

HOUSE BILL NO. 313

BY REPRESENTATIVE MANDIE LANDRY

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

1 AN ACT

2 To amend and reenact R.S. 49:1016(A) and (C), relative to employment discrimination; to
3 provide relative to an employee of a city, parish, or municipality who uses medical
4 marijuana; to prohibit certain employment actions against such employees and
5 potential employees; to provide exceptions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 49:1016(A) and (C) are hereby amended and reenacted to read as
8 follows:

9 §1016. Employment discrimination; physician recommended marijuana

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

17 * * *

18 C. The provisions of this Section shall not apply to any elected officials of
19 a city, parish, or municipality, emergency medical services, law enforcement, public
20 safety officials, any state employee of the horse racing commission, and firefighter
21 services.

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)]

HB 313 Engrossed

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Mandie Landry

Abstract: Provides relative to persons employed by a city, parish, or municipality being treated with medical marijuana.

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 present law.

Proposed law extends present law to prohibit an employer of a city, parish, or municipality from subjecting negative employment consequences on an employee or prospective employee. Proposed law otherwise retains present law.

Present law provides that the provisions of 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 extends the exemption to include any elected officials of a city, parish, or municipality. Proposed law otherwise retains present law.

(Amends R.S. 49:1016(A) and (C))