

SECOND REGULAR SESSION

HOUSE BILL NO. 2674

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PRICE.

5706H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 290, RSMo, by adding thereto one new section relating to discrimination against employees for medical marijuana use.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 290, RSMo, is amended by adding thereto one new section, to be known as section 290.150, to read as follows:

- 290.150. 1. No employer, private or public, within the state of Missouri and no employer who employs any persons within the state of Missouri shall discriminate against an employee for holding a medical marijuana license issued under Article XIV of the Constitution of Missouri or for using medical marijuana if such employee is a qualified holder of a medical marijuana license issued under Article XIV of the Constitution of Missouri, regardless of whether such an employee tests positive for the use of marijuana.**
- 2. No employer shall terminate, discipline, or refuse to hire an employee or individual for medical marijuana use if the employee or individual complies with the requirements of Article XIV of the Constitution of Missouri and with any rules or regulations promulgated by the department of health and senior services under the authority granted by Article XIV of the Constitution of Missouri.**
- 3. The provisions of this section shall not be construed to prohibit disciplinary action, up to and including termination of employment, if it is proven that an employee is impaired by the use of medical marijuana while at work. No employer shall be required to allow an employee to possess or consume medical marijuana while at his or her place of employment.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **4. The provisions of this section shall not apply to any employer who is the federal**
18 **government, or any agency thereof, or to any employer who contracts with the federal**
19 **government and is required under such a contract with the federal government to drug test**
20 **its employees and take disciplinary action against employees who receive a positive drug**
21 **test result.**

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