
SENATE BILL 5517

State of Washington

67th Legislature

2022 Regular Session

By Senators Keiser, Saldaña, Hasegawa, Mullet, Nguyen, Nobles, Pedersen, Randall, Stanford, C. Wilson, and J. Wilson

Prefiled 12/08/21. Read first time 01/10/22. Referred to Committee on Labor, Commerce & Tribal Affairs.

1 AN ACT Relating to the employment of individuals who lawfully
2 consume cannabis; and adding a new section to chapter 49.44 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 49.44
5 RCW to read as follows:

6 (1) Except as otherwise specifically provided in law:

7 (a) It is unlawful for any employer in this state to fail or
8 refuse to hire a prospective employee because the prospective
9 employee submitted to a screening test and the results of the
10 screening test indicate the presence of cannabis; and

11 (b) It is unlawful for any employer in this state to terminate a
12 current employee because the current employee submitted to a
13 screening test and the results of the screening test indicate the
14 presence of cannabis.

15 (2) Subsection (1) of this section does not apply:

16 (a) If compliance would cause an employer to lose a monetary or
17 licensing-related benefit under federal law;

18 (b) To the extent they are inconsistent or otherwise in conflict
19 with the provisions of an employment contract or collective
20 bargaining agreement;

1 (c) To the extent they are inconsistent or otherwise in conflict
2 with the provisions of federal law; or

3 (d) To a position of employment funded by a federal grant.

4 (3) For the purposes of this section:

5 (a) "Cannabis" has the meaning provided for "marijuana" under RCW
6 69.50.101; and

7 (b) "Screening test" means a test of a person's blood, urine,
8 hair, or saliva to detect the general presence of a controlled
9 substance or any other drug.

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