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**SENATE BILL 5517**

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**State of Washington 67th Legislature 2022 Regular Session**

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

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

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

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

(1) Except as otherwise specifically provided in law:

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

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

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

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

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

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

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

(3) For the purposes of this section:

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

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

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