

WSR 26-03-039

ATTORNEY GENERAL OPINION
ATTORNEY GENERAL'S OFFICE
[Filed January 14, 2026, 1:11 p.m.]

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION
WASHINGTON ATTORNEY GENERAL**

The Washington attorney general routinely publishes notice of an opportunity to comment for opinion requests that we receive from the heads of state agencies, state legislators, and county prosecuting attorneys if we anticipate publishing a formal opinion in response to the request. We do so in order to provide members of the public with a chance to provide any legal analysis that they would like us to consider as we develop our opinion. In preparing any comments, please be aware that our opinion will provide our considered legal analysis of the question presented, and therefore comments that address the interpretation of the law are more helpful than comments that express an opinion as to what the law should be.

You may provide your comments to the attorney general's office by email to OpinionComments@atg.wa.gov or by writing to the Office of the Attorney General, Solicitor General Division, Attention Opinions Chief, P.O. Box 40100, Olympia, WA 98504-0100. We will consider any comments we receive before we complete our opinion. Although there is no deadline for submitting comments, comments are the most helpful if received within 30 days of this notice. Comments focused solely on what the law should be are less helpful than comments that interpret current law. You may also request a copy of the opinion request in which you are interested and information about the attorney general's opinion process.

The attorney general's office seeks public input on the following opinion request(s):

**Opinion Docket No. 25-10-04
Request by Representative Alicia Rule, District 42**

QUESTIONS:

1. How far back is an employer permitted to go when considering cannabis test results in employment decisions?
2. Whether employment decisions may be based on past cannabis use?
3. Whether an employer can evaluate current employees based on historical cannabis use and, if so, how far the lookback period is?