



MARIJUANA LEGALIZATION
50-State Survey

Cannabis Anti-Discrimination Chart

Thirty-six states and Washington, D.C. have legalized medical cannabis. In these jurisdictions, cannabis is a legitimate treatment option for qualifying patients who have been certified by a licensed medical provider to use this medicine. However, despite legal recognition and medical oversight, medical cannabis use is still stigmatized. Medical cannabis patients are often subject to harmful discrimination that can impact their employment opportunities, housing options, and other vital aspects of their lives. States are beginning to recognize that this discrimination is a serious public health challenge that requires legal intervention to address its harmful effects.

This resource surveys state policies aimed at protecting medical cannabis patients from discrimination in five critical areas: employment, education, housing, organ transplants, and child custody and visitation. Within the area of employment, the survey evaluates whether a state (1) protects against employment discrimination generally, (2) requires reasonable accommodations in the workplace, (3) prohibits negative employment actions based solely on a positive drug test for cannabis, and (4) exempts employers from these rules when it places them in conflict with federal law or endangers a funding source. This legal survey is meant to be used with its companion issue brief which addresses the public health implications of this challenge and provides a detailed discussion of each of the highlighted interventions.

STATE	CITATION(S)	EMPLOYMENT PROTECTIONS				NON-EMPLOYMENT PROTECTIONS			
		EMPLOYMENT DISCRIMINATION?	POSITIVE DRUG TEST?	REASONABLE ACCOMODATIONS REQUIRED?	EXEMPTIONS FOR FEDERAL LAW AND/OR FUNDING?	SCHOOL ENROLLMENT	ORGAN TRANSPLANTS	RENTING A HOME	CHILD CUSTODY AND VISITATION
AL	N/A	No	No	No	No	No	No	No	No
AK	N/A	No	No	No	No	No	No	No	No
AZ	ARS § 36-2813	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes
AR	AR CONST Amend. 98 § 3	Yes	No	No	Yes	Yes	Yes	Yes	Yes
CA	Cal. Health & Safety Code § 7151.36(a) Cal. Health & Safety Code §	No	No	No	No	No	Yes	No	Yes
CO	N/A	No	No	No	No	No	No	No	No
CT	CT ST § 21a-408(p)(b)	Yes	Yes	No	Yes	Yes	No	Yes	No
DE	16 Del. Code § 4905A	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes
D.C.	DC Act 23-77	Yes	Yes	No	No	No	No	No	No
FL	N/A	No	No	No	No	No	No	No	No
GA	N/A	No	No	No	No	No	No	No	No
HI	HRS § 329-125.5	No	No	No	No	Yes	Yes	Yes	Yes
ID	N/A	No	No	No	No	No	No	No	No
IL	410 ILCS 130/40	Yes	No	No	Yes	Yes	Yes	Yes	Yes
IN	N/A	No	No	No	No	No	No	No	No
IA	N/A	No	No	No	No	No	No	No	No
KS	N/A	No	No	No	No	No	No	No	No

KY	N/A	No	No	No	No	No	No	No	No
LA	N/A	No	No	No	No	No	No	No	No
ME	ME ST §2430-C	Yes	No	No	Yes	Yes	No	Yes	Yes
MD	N/A	No	No	No	No	No	No	No	No
MA	N/A	No	No	No	No	No	No	No	No
MI	MI ST § 33.26424(d)	No	No	No	No	No	No	No	Yes
MN	Minn. Stat. § 152.32 Subd.	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes
MS	N/A	No	No	No	No	No	No	No	No
MO	MO CONST Art.14 §	No	No	No	No	No	Yes	No	No
MT	N/A	No	No	No	No	No	No	No	No
NE	N/A	No	No	No	No	No	No	No	No
NV	NRS § 453A.800	Yes	No	Yes	No	No	No	No	No
NH	NH ST § 126-X:2	No	No	No	No	No	No	Yes	Yes
NJ	NJ Stat. § 24:6I-6.1 NJ Stat. § 24:6I-6	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes
NM	NM ST § 26-2B-9	Yes	No	No	Yes	No	No	No	No
NY	NY Pub. Health § 3369	Yes	No	Yes	Yes	No	No	No	No
NC	N/A	No	No	No	No	No	No	No	No
ND	N/A	No	No	No	No	No	No	No	No
OH	N/A	No	No	No	No	No	No	No	No
OK	63 OK ST § 427.8(H)	Yes	Yes	No	Yes	No	No	No	No
OR	N/A	No	No	No	No	No	No	No	No
PA	35 PA ST § 10231.2103	Yes	No	No	Yes	No	No	No	Yes

RI	RI Gen. Laws § 21-28.6-4	Yes	No	No	Yes	Yes	Yes	Yes	No
SC	N/A	No	No	No	No	No	No	No	No
SD	SD ST § 34-20-G-22	Yes	Yes	No	No	No	No	No	No
TN	N/A	No	No	No	No	No	No	No	No
TX	N/A	No	No	No	No	No	No	No	No
UT	UT ST § 26-61a-111	Yes	Yes	No	Yes	No	Yes	No	No
VT	N/A	No	No	No	No	No	No	No	No
VA	N/A	No	No	No	No	No	No	No	No
WA	N/A	No	No	No	No	No	No	No	No
WV	WV ST § 16A-15-4(b)	Yes	No	No	Yes	No	No	No	No
WI	N/A	No	No	No	No	No	No	No	No
WY	N/A	No	No	No	No	No	No	No	No

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