

Bill Summary
1st Session of the 57th Legislature

Bill No.:	SB 305
Version:	FS FA2
Request No.:	2078
Author:	Sen. Daniels
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Floor Substitute (FS)

The FS for SB 305 prohibits employers from hiring or firing a person solely on the basis of such applicant's or employee's status as a medical marijuana licensee unless otherwise required by federal law. The measure also clarifies instances in which an employer may take action against a person who tests positive for marijuana. A person who does not possess a valid medical marijuana license, consumes marijuana at the place of employment or during the fulfillment of employment obligations, or maintains a position involving safety-sensitive job duties, as defined by the measure, duties is subject to dismissal and discipline.

The FS defines “under the influence” as a test result that is at or above the cutoff concentration level established by the United States Department of Transportation or Oklahoma law regarding being under the influence, whichever is lower. The measure further clarifies that employers will not be required to facilitate the use of medical marijuana on their premises or reimburse a person for costs associated with the use of medical marijuana. Employers are authorized by the measure to develop written policies regarding drug testing and impairment. The measure also clarifies that the status and conduct of a medical marijuana licensee shall not, by itself, be used to restrict or abridge custodial or parental rights.

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