

HOUSE BILL 1643

D5, F5, A3

6lr3691

By: **Delegates Turner, Fennell, Ivey, Martinez, Odom, Roberson, Taveras, and Taylor**

Rules suspended

Introduced and read first time: February 26, 2026

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Employment Discrimination – School Employees – Use of Cannabis**

3 FOR the purpose of prohibiting a school from discriminating against an applicant for
4 employment or an employee because of the applicant’s or the employee’s use of
5 cannabis under certain circumstances; establishing that this Act does not prohibit a
6 school from taking certain actions against an employee under certain circumstances
7 or authorize certain behaviors by an employee; and generally relating to
8 discrimination in employment and the use of cannabis by school employees.

9 BY adding to

10 Article – State Government
11 Section 20–606(g)
12 Annotated Code of Maryland
13 (2021 Replacement Volume and 2025 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – State Government**

17 20–606.

18 **(G) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE**
19 **MEANINGS INDICATED.**

20 **(II) 1. “SAFETY–SENSITIVE EMPLOYEE” MEANS AN**
21 **EMPLOYEE WITH RESPONSIBILITIES THAT IF PERFORMED WHILE IMPAIRED COULD**
22 **RESULT IN IMMEDIATE PHYSICAL HARM TO A STUDENT OR ANOTHER INDIVIDUAL.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 3. WITHOUT THE USE OF THE SCHOOL’S EQUIPMENT OR
2 PROPERTY.

3 (4) NOTHING IN THIS SUBSECTION:

4 (I) AUTHORIZES AN EMPLOYEE TO BE IMPAIRED BY, TO USE, OR
5 TO POSSESS CANNABIS PRODUCTS DURING WORK HOURS;

6 (II) REQUIRES A SCHOOL TO TAKE AN ACTION THAT WOULD:

7 1. CAUSE THE SCHOOL TO VIOLATE FEDERAL LAW OR
8 REGULATIONS; OR

9 2. RESULT IN THE LOSS OF A MONETARY OR
10 LICENSING–RELATED BENEFIT UNDER FEDERAL LAW OR REGULATIONS; OR

11 (III) PROHIBITS A SCHOOL FROM:

12 1. ADOPTING POLICIES AND PROCEDURES THAT
13 PROHIBIT AN EMPLOYEE FROM PERFORMING DUTIES WHILE IMPAIRED BY
14 CANNABIS;

15 2. PROHIBITING AN EMPLOYEE FROM POSSESSING OR
16 USING CANNABIS DURING WORK HOURS; OR

17 3. TAKING AN ADVERSE EMPLOYMENT ACTION AGAINST
18 AN EMPLOYEE FOR POSSESSING OR USING CANNABIS DURING WORK HOURS.

19 (5) THIS SUBSECTION DOES NOT PREEMPT ANY FEDERAL LAW
20 REQUIRING APPLICANTS OR EMPLOYEES TO BE TESTED FOR CONTROLLED
21 SUBSTANCES AS A CONDITION OF:

22 (I) EMPLOYMENT;

23 (II) RECEIVING FEDERAL FUNDING OR FEDERAL
24 LICENSING–RELATED BENEFITS; OR

25 (III) ENTERING INTO A FEDERAL CONTRACT.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
27 1, 2026.