

# 2021 SPECIAL SESSION I

INTRODUCED

21101426D

## HOUSE BILL NO. 1862

Offered January 13, 2021

Prefiled January 7, 2021

A *BILL to amend the Code of Virginia by adding a section numbered 40.1-27.4, relating to employee protections; medicinal use of cannabis oil.*

Patrons—Helmer, Adams, D.M., Herring and Guzman

Referred to Committee on Labor and Commerce

### Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 40.1-27.4 as follows:

#### **§ 40.1-27.4. Discipline for employee's medicinal use of cannabis oil prohibited.**

A. As used in this section, "cannabis oil" means the same as that term is defined in § 54.1-3408.3.

B. No employer shall discharge, discipline, or discriminate against an employee for such employee's lawful use of cannabis oil pursuant to a valid written certification issued by a practitioner for the treatment or to eliminate the symptoms of the employee's diagnosed condition or disease pursuant to § 54.1-3408.3.

C. Notwithstanding the provisions of subsection B, nothing in this section shall (i) restrict an employer's ability to take any adverse employment action for any work impairment or to prohibit possession during work hours or (ii) require an employer to commit any act that would cause the employer to be in violation of federal law or that would result in the loss of a federal contract or federal funding.

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