Senate Bill 16

An Act Concerning the Adult Use of Cannabis

Commissioner Josh Geballe

Joint Committee on Judiciary
March 2, 2020

The Department of Administrative Services (“DAS”) offers the following testimony in support of Governor Lamont’s proposal, “An Act Concerning the Adult Use of Cannabis,” Senate Bill 16.

DAS appreciates the comprehensive and thoughtful approach taken by the Governor in this proposal. As the agency responsible for administering human resources services to the executive branch, we, like other employers, are looking for clear guidelines about how legalization of cannabis impacts the workplace. Senate Bill 16, particularly sections 45 and 46, provide that guidance.

Section 45 explicitly provides that employers are not required to accommodate cannabis use in the workplace (except to the extent already required as a reasonable accommodation for medical conditions) and that employers still have every legal right to establish policies that prohibit employees from coming to work under the influence of cannabis and cannabis-type substances and prohibiting the use, consumption or possession of cannabis and cannabis-type substances at work and on their premises. We also appreciate that section 46 of the Governor’s bill establishes clear protocols about screening for cannabis and cannabis-type substances and the explicit recognition that there are many professions for which screening is still necessary. These sections also explicitly provide that employers can continue to engage in drug testing when required by federal law, by collective bargaining agreements, etc. These provisions will make it easier for employers to comply with Senate Bill 16 as well as other state and federal laws.

DAS, in concert with the Administration, respectfully requests that Sections 49 and 50 be removed from the bill. They are largely duplicative of Sections 45 and 46, and their inclusion in this bill was a drafting error.

Thank you for your consideration of DAS’s views regarding this bill.