

6.8 Mississippi Medical Cannabis Act

Added _____, 2022

The Governor of Mississippi signed the Mississippi Medical Cannabis Act into law on February 2, 2022. It became effective upon signing. The Act allows the legal use of medical cannabis for medical purposes only, as set forth in Senate Bill 2095 from the 2022 Regular Session of the Mississippi Legislature. Regardless of the purpose of its use, marijuana is still classified as a controlled substance and illegal under federal law. Therefore, any agency receiving federal funding or otherwise subject to the Drug Free Workplace Act of 1988 must continue to have policies consistent with the Drug Free Workplace Act in order to stay compliant and/or eligible for federal funds.

The Mississippi Medical Cannabis Act in no way alters the employment relationship status between Madison County and its employees. This means that the at-will status of employees is maintained, and employees remain subject to the provisions of the County's Drug and Alcohol-Free Workplace Policy. The Mississippi Medical Cannabis Act does not:

- require the County to permit, accommodate, or allow the use of medical cannabis or to modify the job or working conditions of any employee who uses medical cannabis;
- prohibit the County from refusing to hire, discharging, disciplining, or otherwise taking an adverse employment action against an individual as a result of their use of medical cannabis;
- ban or limit the County's ability to create or enforce a drug-testing policy; or
- permit, authorize, or establish any individual's right to commence or undertake any legal action against the County for taking an adverse employment action against an individual due to use of medical cannabis.

The County must ensure strict compliance with all federal and state laws regarding discrimination and protected health information.