

AN AMENDMENT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DATE: February 27, 2014
Amendment offered by: Councilmember Vincent Orange
To: B20-0409, the "Marijuana Possession Decriminalization
Amendment Act of 2014"

Section 103 Page 4 Line(s) 16-17

1. Add a subsection (c-1) to Section 103 to read as follows:

if they are not tested for alcohol use
“(c-1)” During the hiring process, employers shall not test any potential employee for marijuana use, unless otherwise required by law. Nothing in this section is intended to require an employer to permit or accommodate the use, consumption, possession, transfer, display, transportation, sale or growing of marijuana in the workplace or at any time during employment.

Rationale:

As currently drafted, this legislation would make the possession or transfer without remuneration of 1 ounce or less of marijuana a civil violation subject to a fine rather than a criminal offense. This change is an attempt to temper the discriminatory impact a marijuana arrest can cause later in life on an individual's choices in employment, housing, and education.

However, the change in the law could still hinder possible employment opportunities. With decriminalization, an invitation to smoke in the privacy of your own home is assumed. Yet, if an employer chooses to test for marijuana during his or her hiring process, this now condoned behavior could still impact an applicant's chances for employment even though it has no bearing on their future job performance.

Much like alcohol use during work, employees should not smoke or use any drug while on the job. But no potential employee should be penalized for previous marijuana use that occurred prior to employment.

COUNCIL OF THE DISTRICT OF COLUMBIA
Office of the Budget Director



Jennifer Budoff
Budget Director

FISCAL IMPACT STATEMENT

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jennifer Budoff, Budget Director

DATE: February 28, 2014

SHORT TITLE: B20-409, "Marijuana Possession Decriminalization Amendment Act of 2014"

TYPE: Amendment

REQUESTED BY: Councilmember Vincent B. Orange, Sr.

Conclusion

This amendment will not have an adverse impact on the District's budget and financial plan because there is no additional cost associated with this amendment.

Background

This amendment would add a subsection (c-1) to Section 103, stating an employer shall not test any potential employee for marijuana use during the hiring process, unless otherwise required by law. The amendment provides that it is not intended to require an employer to permit or accommodate the use, consumption, or other activities involving marijuana at any time during employment.

Analysis of Impact on Spending

This amendment will not adversely impact spending.

Analysis of Impact on Revenue

This amendment will not adversely impact revenue.