
Councilmember Vincent Bernard Orange, Sr.

Page (1) of (1)

AN AMENDMENT

1

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DATE: February 4, 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:

"(c)(1)" Employers shall not penalize any employee or potential employee based on a drug test that is positive 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 to affect the ability of employers to have policies restricting the use of marijuana by employee.

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, employment is another area in which District residents can be discriminated against based on marijuana use. Of course, employees should not smoke or use any drug while on the job. But after hours, on their own time, an employee should be able to choose to use marijuana while off the clock and not be subjected to drug testing for its use so long as their use does not impact their work or they are otherwise legally required to be drug free.

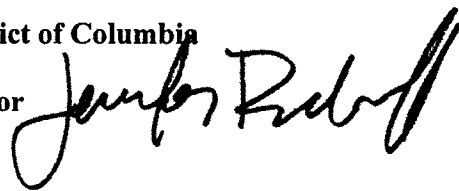
COUNCIL OF THE DISTRICT OF COLUMBIA
Office of the Budget Director



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 4, 2014

SHORT TITLE: Bill 20-409, "Marijuana Possession Decriminalization Amendment Act of 2014"

TYPE: Amendment

REQUESTED BY: Councilmember Vincent B. Orange

Conclusion

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

Background

This amendment would exclude employers from testing any employee or potential employee for marijuana use, unless otherwise required by law.

Analysis of Impact on Spending

This amendment will not adversely impact spending.

Analysis of Impact on Revenue

This amendment will not adversely impact revenue.