

Senate Bill 301

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Joint Interim Committee on Marijuana Legalization)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides that conditioning employment on refraining from using any substance that is lawful to use in this state is unlawful employment practice.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to unlawful employment practices; amending ORS 659A.315; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 659A.315 is amended to read:

5 659A.315. (1) It is an unlawful employment practice for any employer to require, as a condition
6 of employment, that any employee or prospective employee refrain from using [*lawful tobacco pro-*
7 *ducts*] **a substance that is lawful to use under the laws of this state** during nonworking hours,
8 except when the restriction relates to:

9 (a) A bona fide occupational [*requirement.*] **qualification; or**

10 (b) **The performance of work while impaired.**

11 (2) Subsection (1) of this section does not apply if an applicable collective bargaining agreement
12 prohibits off-duty use of [*tobacco products*] **the substance.**

13 **SECTION 2. This 2017 Act being necessary for the immediate preservation of the public**
14 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
15 **on its passage.**
16

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.