

## New Laws Following The Election

A few states passed laws during the 2020 election. Here are some you might need to know.



### Drug Laws

Five states passed marijuana laws. One reclassified certain drugs.

**Arizona.** Personal use of marijuana was legalized. Employers do not have to permit or accommodate the “use, consumption, possession, transfer, display, transportation sale or cultivation of marijuana in a place of employment.”

**Mississippi.** Marijuana was legalized for certain medical purposes. Employers are not required to accommodate the on-site use of medical marijuana.

**Montana.** Some recreational marijuana was legalized. Employers do not have to permit use in the workplace and may discipline employees for violating their drug policies.

**Oregon.** Measure 110 updated the state’s drug laws. Possession of certain narcotics was reclassified from a felony to a misdemeanor. Employers should be aware that the offense levels for having or using various drugs have been lowered and convictions will no longer result in jail time.

**New Jersey.** Some instances of recreational marijuana were legalized. Existing law notes that employers are “not permitted to discriminate against those who use cannabis for medical reasons.”

**South Dakota.** Recreational marijuana is legal with some limitations. Employers are not required to permit employees to use marijuana while on the job.



### Contractors, Not Employees In CA

California’s Proposition 22 was approved by voters. It overturns AB5, the law which decreed app-based drivers must be classified as employees. Therefore, drivers will continue to be independent contractors in the golden state.

Currently, this law only affects employers in California. However, Proposition 22 was heavily supported by corporations such as Uber, Lyft and Doordash. Following this success, they may look into implementing similar legislation in other states.



### Upcoming Laws

New laws are implemented at the start of every year. As recently-elected officials take their places, they will have an impact on upcoming state bills.

Backgrounds Online endeavors to keep up with employment laws that affect you. We will provide details about relevant bills that go into effect in 2021 in an upcoming Newsletter. You can also check our other educational resources such as our State Laws section and Blog.



## Happy Thanksgiving

This has been a challenging year but we are thankful for many things. Family, friends and wonderful clients like you bring us joy and optimism.

Thank you for partnering with Backgrounds Online. Our team wishes you a happy and relaxing Thanksgiving.

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