



Nevada - State Specific Information

Information provided is current as of August 5, 2024, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

Medical Use	Legalized – 2000 (Question 9)
Recreational Use	Legalized – 2016 (Question 2)
Possession/Personal Use Specifics	Adults aged 21 and older to possess up to 2.5 ounces of marijuana and up to 1/4 ounce of concentrated cannabis. Cultivation is permitted but must live more than 25 miles away from a licensed dispensary. Can cultivate up to six plants per person, with a maximum of twelve plants per household and grown in an enclosed space not visible to the public.
	Public consumption and consumption in vehicles remain illegal, however there are designated “ lounges ” where it is legal.

State Regulatory Agency Information

State Regulatory Agency	Nevada Cannabis Compliance Board
State Forms (If Applicable)	Nevada TS-77

State Testing Policy

General Information	Nevada employers aren't bound by state-mandated drug and alcohol testing procedures. They can set their own rules, including random testing, and testing for any substance, even off-duty. However, fairness, respecting privacy laws, and adhering to industry regulations are crucial. Public employers might have stricter policies. Remember, establishing robust documentation is a key risk mitigant for employers in states like Nevada.
Safety Sensitive Positions	Firefighters, emergency medical technicians, and any position requiring a commercial driver's license are all subject to zero-tolerance policies.
Privacy Laws	There are no workplace drug testing laws in Nevada that regulate drug testing in private businesses. However, federal laws require drug testing in some safety-sensitive positions. Employers are responsible for learning federal drug testing legislation.

Recommended Procedures

Does the state have recommended procedures?	<p>It is always recommended to have standardized documentation and training procedures and regular employee evaluations to set clear performance expectations</p> <p>Nevada law generally protects employees with medical cannabis cards from employment discrimination. However, employers can still implement drug testing for safety-sensitive positions and take action if an employee's cannabis use negatively impacts job performance, including reasonable suspicion testing.</p>
State Employee Procedures and Policies	<p>The State of Nevada maintains a strong commitment to a safe and healthy work environment through its Drug-Free Workplace Program. This program applies to all classified and unclassified employees, prohibiting the unlawful manufacture, distribution, possession, or use of controlled substances while on duty, at work sites, or on state property.</p>

Protections for Use Outside Workplace/ Work Hours

Is Nevada a "Right to Weed State"?	<p>It is unlawful for any employer in this State to fail or refuse to hire a prospective employee because the prospective employee submitted to a screening test and the results of the screening test indicate the presence of marijuana.</p>
More Detailed Information	<p>Nevada Assembly Bill 132</p>

State Requirements for Drug & Alcohol Testing Program

Testing policy requirements:	<p>State of Nevada Alcohol and Drug Program</p>
Main Requirement:	<p>The State of Nevada recognizes that alcohol and drug abuse and addiction are treatable illnesses. They also realize that early intervention and support improves the success of rehabilitation. For that reason, one of the goals of the state's program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, a person violates the program, the consequences are serious.</p>