



• Missouri

Missouri - State Specific Information

Information provided is current as of February 1, 2024, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

Medical Use	Legalized – 2018 (Amendment 2)
Recreational Use	Legalized – 2022 (HCS HB 2704)
Possession/Personal Use Specifics	<p>Legal for adults over 21 to buy and possess up to 3 oz of cannabis. Residents of Missouri can register to grow their own plants, up to six flowering and six immature plants per household.</p> <p>Missouri law prohibits smoking marijuana in public places, unless local governments pass ordinances to permit it.</p>

State Regulatory Agency Information

State Regulatory Agency	Missouri DHSS Cannabis Regulation
State Forms (If Applicable)	None Specified

State Testing Policy

General Information	<p>In Missouri, state law doesn't mandate specific drug and alcohol testing policies for private employers. This means they have significant freedom to create their own, including random testing for safety-sensitive positions. Notably, employers can test for any substance, not just marijuana, even outside of work hours depending on the policy.</p>
Safety Sensitive Positions	Public employment involving the performance of duties which have a direct and immediate impact on the safety of the public and other public employees.
Privacy Laws	An employer may require a preemployment test for alcohol or controlled substance use as a condition of employment.

Recommended Procedures

Does the state have recommended procedures?	Missouri doesn't enforce a state-mandated drug-free workplace program for private employers. This grants them considerable freedom to establish their own policies regarding drug testing and substance use within legal boundaries.
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State Employee Procedures and Policies	An employee shall not be impaired by any drug, whether legal, illegal, prescription, or non-prescription; alcohol; or any other substance while conducting State business. Nor shall an employee report for duty or remain on duty while impaired by any drug, whether legal, illegal, prescription, or non-prescription, or alcohol.
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Protections for Use Outside Workplace/ Work Hours

Is Missouri a "Right to Weed State"?	An employee cannot be fired just because they test positive for marijuana in their system if they are a medical patient. However, an employer can take action if a person is under the influence while on the premise of the job, during work hours, if that is against the workplace policy.
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More Detailed Information	Missouri Amendment 3
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State Requirements for Drug & Alcohol Testing Program

Testing policy requirements:	Missouri Revised Statute 288.045
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Main Requirement:	There are not many workplace drug testing laws in Missouri to encourage drug testing or to limit it. However, certain employment drug screening laws must be met for workers' compensation and unemployment purposes.
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