



• Nevada

Nevada - 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 – 2000 (Question 9)
Recreational Use	Legalized – 2016 (Question 2)
Possession/Personal Use Specifics	Adults who are not participating in the state's medical cannabis program can legally possess personal use quantities of cannabis (up to one ounce and/or up to 3.5 grams of concentrate). Adults may also grow up to six marijuana plants, and they may possess all of the harvest from those plants, if they reside 25 miles or more away from an operating marijuana retailer. 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.
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?

It is always recommended to have standardized documentation and training procedures and regular employee evaluations to set clear performance expectations

In Nevada, employers can create their own policies, test for any substance (including marijuana). However, fairness and consistency are key to avoid discrimination, and federal laws shield some medical marijuana information. Remember, public employers might have stricter rules, so regardless of sector, consulting legal professionals is crucial for compliant and effective drug-free workplace policies.

State Employee Procedures and Policies

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.

Protections for Use Outside Workplace/ Work Hours

Is Nevada a “Right to Weed State”?

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.

More Detailed Information

[Nevada Assembly Bill 132](#)

State Requirements for Drug & Alcohol Testing Program

Testing policy requirements:

[State of Nevada Alcohol and Drug Program](#)

Main Requirement:

The State of Nevada recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. For that reason, one of the goals of our 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.