

Legalization of Marijuana Raises Significant Questions and Issues for Employers

Article By:

Jay S. Becker

The trend across the nation toward the legalization of marijuana on the state level continues to gain momentum. Twenty-three states and the District of Columbia now have laws permitting the use of medical marijuana. In addition, 11 other states allow “low TCH, high cannabidiol (CBD)” products for medical reasons in limited situations or as a legal defense. Moving the legalization trend even further, the states of Washington and Colorado also have laws permitting the recreational use of marijuana, and legislators in several other states are proposing similar recreational legislation. However, despite the growing trend towards legalization, marijuana remains illegal under federal law. Not only is it illegal, it is classified as a Schedule I drug, which, under federal law, means the worst of the worst. Schedule I drugs are those with a high potential for abuse, severe dependency, and no acceptable medical use. To put it in perspective, other Schedule I drugs include LSD, heroin, GHB, and Ecstasy.

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