

By Senator Martin

33-01470A-26

20261702

A bill to be entitled

An act relating to employer immunity from civil liability; amending s. 381.986, F.S.; providing employers with immunity from civil liability for actions taken against a current or prospective employee under certain circumstances; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Present subsections (16) and (17) of section 381.986, Florida Statutes, are redesignated as subsections (17) and (18), respectively, and a new subsection (16) is added to that section, to read:

381.986 Medical use of marijuana.—

(16) IMMUNITY FROM CIVIL LIABILITY.—An employer that takes action against a current or prospective employee based on the employee's possession or use of marijuana is immune from civil liability if:

(a)1. The possession or use of marijuana occurs on a workplace site; or

2. The current or prospective employee tests positive for marijuana upon submitting to a drug test administered in accordance with the requirements of s. 112.0455; and

(b) The use of marijuana impairs the employee's ability to perform his or her employment duties or responsibilities.

Section 2. This act shall take effect July 1, 2026.