



Idaho - State Specific Information

Information provided is current as of January 7, 2026, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

Medical Use	Not Legal. The only exception is FDA-approved Epidiolex for specific seizure disorders.
Recreational Use	Not legal
Legal Status	Cannabis is a Schedule I controlled substance. Under HB 0007 (2025), effective January 1, 2026, simple possession of 3 ounces or less is a misdemeanor with a mandatory minimum fine of \$300, plus up to one year in jail. Possession of more than 3 ounces is a felony punishable by up to 5 years in prison.
Idaho has the strictest hemp laws in the country. While industrial hemp is legal, any finished hemp product (like CBD oil) must contain 0.0% THC. Intoxicating hemp derivatives like Delta-8 are strictly prohibited.	

State Regulatory Agency Information

State Regulatory Agency	Idaho State Department of Agriculture - Hemp
State Forms	None Specified

Employer Drug Testing

General Information	As of 2026, Idaho remains a "zero-tolerance" state. There are no medical or recreational protections for employees. Under HB 0007, the state recently introduced mandatory minimum fines for possession, further signaling its anti-cannabis stance. Employers in Idaho can test for THC at any time and take adverse action based on a positive result, regardless of whether the use occurred off-duty or in a neighboring legal state (like Washington or Oregon). *Remember, establishing robust documentation is a key risk mitigant for employers in states like Idaho.
Safety Sensitive Positions	Idaho law grants employers the right to define "safety-sensitive" roles at their discretion. For these positions, a positive test result typically leads to immediate disqualification or termination, a practice supported by state law to maintain workplace safety.
Privacy Laws	Results are confidential. Idaho law focuses on protecting the employer from liability. If an employer follows the state's voluntary drug-testing statutes (including having a written policy), they are largely immune from most employee lawsuits regarding the testing process.