



North Carolina - 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. (Limited "Hemp Extract" law for intractable epilepsy only).
Recreational Use	Not legal
Legal Status	Cannabis remains a Schedule VI controlled substance. Possession of 0.5 oz or less is a Class 3 misdemeanor (punishable by a fine but no jail time for a first offense). Possession of more than 1.5 oz is a felony.
North Carolina established a State Advisory Council on Cannabis in 2025 to study THC regulation, but no adult-use laws have passed. While hemp-derived Delta-8 is currently sold under a legal gray area, House Bill 563 (2025-2026) aims to restrict synthetic cannabinoids and impose strict age-verification and testing requirements.	

State Regulatory Agency Information

State Regulatory Agency	North Carolina Department of Agriculture & Consumer Services (NCDA&CS) oversees industrial hemp
State Forms	None Specified

Employer Drug Testing

General Information	As of 2026, North Carolina remains a prohibition state. While the North Carolina Compassionate Care Act (medical bill) is reintroduced nearly every session, it has yet to pass into law. For employers, the legal framework is clear: marijuana is a prohibited substance. Employers can legally fire or refuse to hire anyone testing positive for THC, regardless of whether the product was legally purchased in another state. *Remember, establishing robust documentation is a key risk mitigant for employers in states like North Carolina.
Safety Sensitive Positions	Employers have broad discretion to define "safety-sensitive" roles. For these positions, North Carolina law and the Department of Labor support strict drug-free standards. Documentation is key, especially if an employer receives federal grants or has DOT-regulated employees.
Privacy Laws	Testing must be performed by an approved laboratory. While results are considered confidential, North Carolina law focuses on procedural compliance (e.g., proper chain of custody). Employers are generally immune from civil litigation if they follow the state's established testing procedures.