



Tennessee - 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. (Only high-CBD/low-THC oil with up to 0.9% THC is permitted for specific legal protections, but there is no state-sanctioned dispensary system).
Recreational Use	Not legal
Legal Status	Marijuana is a Schedule I substance. Possession of a half-ounce or less is a Class A misdemeanor (up to 1 year jail).
Public Chapter 526 (HB 1376) , Tennessee had a sweeping overhaul of hemp laws. It bans the sale of THCA flower and synthetic cannabinoids. It also moves the regulation of all hemp-derived cannabinoids (Delta-8, Delta-10, etc.) to the Alcoholic Beverage Commission. Most intoxicating hemp products are now strictly capped at 0.3% total THC.	

State Regulatory Agency Information

State Regulatory Agency	Tennessee Alcoholic Beverage Commission (TABC) for all hemp-derived cannabinoid products.
State Forms	None Specified

Employer Drug Testing

General Information	Tennessee is an "employment-at-will" state. Under the Tennessee Drug-Free Workplace Act, employers have the right to test applicants and employees for any reason. Because all forms of marijuana remain illegal, employers may enforce zero-tolerance policies. A positive test for THC is considered a violation of workplace policy, regardless of whether the employee claimed it was "legal hemp." *Remember, establishing robust documentation is a key risk mitigant for employers in states like Tennessee.
Safety Sensitive Positions	Under T.C.A. § 50-9-101, employers who participate in the state's voluntary Drug-Free Workplace Program must test employees in safety-sensitive positions.
Privacy Laws	Tennessee law requires employers to provide a written policy before testing and to ensure results remain confidential. However, an employee who tests positive is generally disqualified from receiving unemployment benefits and may have their workers' compensation benefits denied if the drug was a contributing factor to an injury.