



Texas - State Specific Information

Information provided is current as of August 16, 2024, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

Medical Use	*2015 - (Compassionate-Use Act)
Recreational Use	Not legal
Possession/Personal Use Specifics	As of 2026, registered patients may possess and use "Low-THC cannabis" containing up to 10 mg of THC per dose. Authorized forms include oils, topical patches, suppositories, and prescribed inhalers/vaporizers.
	Home cultivation and "smoking" (combustion) of cannabis remain strictly illegal for all residents. Employers in Texas are strongly advised to seek medical council in regards to a workplace drug and alcohol program.

State Regulatory Agency Information

State Regulatory Agency	Texas Compassionate Access
State Forms (If Applicable)	None Specified

State Testing Policy

General Information	Texas remains a "pro-employer" state with no laws requiring the accommodation of cannabis use. Under Texas Labor Code § 21.120 , employers may adopt and enforce policies prohibiting the use or possession of controlled substances. Even with the 2025 expansion of medical conditions, Texas law does not grant medical patients protection from drug testing or adverse employment actions. Employers may maintain zero-tolerance policies and terminate employees for positive THC results, regardless of medical status. *Remember, establishing robust documentation is a key risk mitigant for employers in states like Texas.
Safety Sensitive Positions	Employers should clearly identify roles involving motor vehicle operation, hazardous materials, or direct patient care, as these positions are subject to strict zero-tolerance standards that override any state-level medical access.
Privacy Laws	Participation in the Compassionate Use Registry of Texas (CURT) is strictly confidential under HB 46 (2025). Only the Department of Public Safety (DPS), registered physicians, and licensed dispensaries may access a patient's status. Employers do not have a right to search this registry; however, once an employee discloses use or tests positive, the employer must handle that information as confidential medical data under the Texas Data Privacy and Security Act.