



Washington - 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	Legalized – 2012 (Initiative 692) *Revised in 2026 (HB 2064/SB 6204)
Recreational Use	Legalized – 2012 (Initiative 502)
Possession/Personal Use Specifics	Adults can privately possess up to 1 ounce of marijuana for personal, 16 ounces of marijuana-infused products in edible form, and 72 ounces of marijuana products in liquid form. As of January 2026, a new state law (HB 2064/SB 6204) has officially decriminalized recreational home cultivation, allowing adults 21+ to grow up to six plants per person (15 per household).
	Public consumption remains strictly prohibited, and utilizing marijuana in a moving vehicle incurs a traffic infraction.

State Regulatory Agency Information

State Regulatory Agency	Washington State Liquor and Cannabis Board
State Forms (If Applicable)	None Specified

State Testing Policy

General Information	Effective January 1, 2024, under RCW 49.44.240 , Washington prohibits employers from discriminating against job applicants based on off-duty cannabis use or a drug test detecting non-psychoactive metabolites. This means standard urine/hair tests can no longer be used to deny employment. Employers may still test current employees for reasonable suspicion or after an accident but must focus on active impairment. Remember, establishing robust documentation is a key risk mitigant for employers in states like Washington.
Safety Sensitive Positions	Safety-sensitive roles exempt from the pre-employment testing ban include first responders, corrections officers, and positions in the airline/aerospace industries. Additionally, any role where impairment presents a substantial risk of death is exempt, provided the employer identifies the position as "safety-sensitive" prior to the candidate's application for employment.
Privacy Laws	While Washington employers have broad leeway in conducting drug tests, privacy laws dictate secure storage and disposal of samples, limited information sharing, and potential employee lawsuit risks if mishandling occurs.

Recommended Procedures

Does the state have recommended procedures?

It is always recommended to have standardized documentation and training procedures and regular employee evaluations to set clear performance expectations. While Washington doesn't mandate a formal drug-free workplace program for private employers, they can incentivize participation through the [WDFW](#) Program.

State Employee Procedures and Policies

[State employees](#) are protected from pre-employment cannabis screening for most general roles as of 2024. However, once hired, employees must remain "fit for duty." Agencies may conduct testing based on reasonable suspicion or post-accident. Federal-funded roles (e.g., WSDOT) must still comply with DOT mandates, which require zero-tolerance for THC regardless of state law.

Protections for Use Outside Workplace/ Work Hours

Is Washington a "Right to Weed State"?

Washington State [protects job applicants](#) from being fired based on pre-employment marijuana drug test results, but employees can still be terminated for positive drug tests under specific workplace conditions.

More Detailed Information

[New Washington Law](#)

State Requirements for Drug & Alcohol Testing Program

Testing policy requirements:

[Washington State Drug Testing Laws](#)

Main Requirement:

Washington has shifted from an "employer-choice" state to one of the most protective for job seekers. Under RCW 49.44.240, employers are prohibited from using pre-employment drug tests to screen out applicants for off-duty cannabis use. While employers retain the right to maintain a drug-free workplace and test for active impairment (often using saliva tests which have a shorter detection window), the only exceptions to the hiring protections are for first responders, federal contractors, and specifically pre-designated safety-sensitive roles.