



Legislation Details (With Text)

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**File created:** 7/22/2021      **In control:** Council

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**Title:** Amending Chapter 2, Code of Ordinances of Kansas City, Missouri, "Administration," by enacting section, 2-1119.1, "Pre-Employment Testing Prohibition," to prohibit the City from conducting pre-employment testing for marijuana, and to establish exceptions to that prohibition.

**Sponsors:** Quinton Lucas

**Indexes:**

**Code sections:**

**Attachments:** 1. Authenticated Ordinance 210627

Date	Ver.	Action By	Action	Result
9/23/2021	1	Council	Passed	Pass

ORDINANCE NO. 210627

Amending Chapter 2, Code of Ordinances of Kansas City, Missouri, "Administration," by enacting section, 2-1119.1, "Pre-Employment Testing Prohibition," to prohibit the City from conducting pre-employment testing for marijuana, and to establish exceptions to that prohibition.

WHEREAS, the City intends to prohibit pre-employment testing for marijuana of applicants for City employment, except as provided below; NOW, THEREFORE;

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 2 of the Code of Ordinances, entitled "Administration," is hereby amended by enacting a new Section 2-1119.1, to read as follows:

**Section 2-1119.1. Pre-Employment Testing Prohibition.**

(a) *Policy.* It shall be unlawful for the City of Kansas City to require a prospective employee to submit to testing for the presence of marijuana in the prospective employee's system as a condition of employment.

(b) *Exceptions.* The prohibition shall not apply to:

1. Persons applying for work in the following City positions:
  - A. Police office or other law enforcement positions;
  - B. Any position requiring a commercial driver's license;

- C. Any position requiring the supervision or care of children, medical patients, disabled or other vulnerable individuals;
- D. Any position where the employee could significantly impact the health or safety of other employees or members of the public, as determined by the City Manager and set forth in regulations pursuant to this Chapter.

2. Generally

- A. Any federal or state statute, regulation, or order requiring drug testing of prospective City employees for purposes of safety or security;
- B. Any contract between the federal government and the City or any grant of financial assistance from the federal government to the City that requires drug testing of prospective employees as a condition of receiving the contract or grant; or
- C. Applicants for city employment where a valid collective bargaining agreement specifically addressing the pre-employment drug testing of applicants is in effect.

- (c) The City Manager is authorized to promulgate rules and regulations for the administrative implementation of this Section.

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Approved as to form and legality:

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Lana K. Torczon  
Assistant City Attorney