

### Iowa Marijuana Penalties

 conditional  mandatory  drugged driving  tax stamps

		Incarceration	Fine
<b>Possession</b>			
Any amount (first offense)	misdemeanor	6 months	\$1,000
Any amount (second offense)	misdemeanor	1 year	\$1,500
Any amount (subsequent offense)	misdemeanor	2 years	\$500 - \$5,000
More than 28.5 g on school grounds while school open	misdemeanor	6 months	\$500
Within 1,000 feet of school, or specified areas		Additional 100 hours community service	none
Possible conditional discharge for possession.			
<b>Sale or Cultivation</b>			
50 kg or less	felony	5 years	\$750 - \$7,500
50 to 100 kg	felony	10 years	\$1,000 - \$50,000
100 to 1,000 kg	felony	25 years	\$5,000 - \$100,000
More than 1,000 kg	felony	50 years	\$1,000,000
To a minor	felony	5 years MMS* to 25 years	
Within 1,000 feet of a school or park	felony	10 years MMS* to 25 years	
*Mandatory minimum sentence.			
<b>Miscellaneous</b> (paraphernalia, license suspensions, drug tax stamps, etc...)			
Paraphernalia possession or sale	misdemeanor	30 days	\$50-\$500
Any second or subsequent offense is punishable for up to 3 times the sentence for the first offense. Driver's license suspended for up to 1 year for drug convictions			
<b>Details</b>			
<p>The possession of any amount of marijuana is a misdemeanor, punishable by up to six months in jail and a fine of up to \$1,000. For a second offense the penalties increase to up to one year in jail and a fine of up to \$1,500. Subsequent offenses are punishable by up to two years and a fine of \$500 - \$5,000. There is the possibility for conditional discharge for possession charges. Possession within 1,000 feet of a school, public park, swimming pool or recreation center adds an additional 100 hours of community service to the sentence.</p> <p>Manufacture or delivery of 50 kilograms or less of marijuana is punishable by up to five years in prison and a fine of \$750 - \$7,500. The penalty for manufacture or delivery of greater than 50 kilograms is up to ten years in prison and a fine of \$1,000 - \$50,000. Manufacture or delivery of greater than 100 kilograms is punishable by up to 25 years in prison and a fine of \$5,000 - \$100,000. For any manufacture or delivery of any amount greater than 1,000 kilograms the sentence can be up to 50 years in prison and a fine of up to \$1,000,000.</p> <p>Sale to a minor carries a five-year mandatory minimum sentence with a 25-year maximum sentence. Sale within 1,000 feet of a school or public park carries a 10-year mandatory minimum sentence with a 25-year</p>			

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maximum sentence.


Possession or sale of paraphernalia is a simple misdemeanor punishable by up to 30 days in jail and a fine of \$50 - \$500.


Second or subsequent offenses are punishable by up to three times the sentence for first offenses.

For juveniles convicted of drug charges, driver's licenses are suspended for up to one year.

 **Conditional release:** The state allows conditional release or alternative or diversion sentencing for people facing their first prosecutions. Usually, conditional release lets a person opt for probation rather than trial. After successfully completing probation, the individual's criminal record does not reflect the charge.

 **Mandatory minimum sentence:** When someone is convicted of an offense punishable by a mandatory minimum sentence, the judge must sentence the defendant to the mandatory minimum sentence or to a higher sentence. The judge has no power to sentence the defendant to less time than the mandatory minimum. A prisoner serving an MMS for a federal offense and for most state offenses will not be eligible for parole. Even peaceful marijuana smokers sentenced to "life MMS" must serve a life sentence with no chance of parole.

 **Drugged driving:** This state has a per se drugged driving law enacted. In their strictest form, these laws forbid drivers from operating a motor vehicle if they have any detectable level of an illicit drug or drug metabolite (i.e., compounds produced from chemical changes of a drug in the body, but not necessarily psychoactive themselves) present in their bodily fluids above a specific threshold. For more information, see state DUID laws. [http://norml.org/index.cfm?Group\\_ID=6669](http://norml.org/index.cfm?Group_ID=6669)

 **Marijuana tax stamps:** This state has a marijuana tax stamp law enacted. This law mandates that those who possess marijuana are legally required to purchase and affix state-issued stamps onto his or her contraband. Failure to do so may result in a fine and/or criminal sanction. For more information, see NORML's report Marijuana Tax Stamp Laws And Penalties. [http://www.norml.org/index.cfm?Group\\_ID=6670](http://www.norml.org/index.cfm?Group_ID=6670)

Also see Federal Laws [http://norml.org/index.cfm?Group\\_ID=4575](http://norml.org/index.cfm?Group_ID=4575)

### About this Report

NORML's State Guide to Marijuana Penalties outlines most penalties for prohibited marijuana conduct in the 50 states, the District of Columbia, and under federal law. To view the list of prohibited conduct and penalties, click the map icon to the left to find your jurisdiction.

Marijuana laws and penalties change rapidly and are enforced and interpreted differently even in the same legal jurisdiction. Please consult a criminal defense lawyer if you have been busted or if you want to know how a particular conduct might be punished. If you spot an error or have information that should be included in NORML's State Guide to Marijuana Penalties, please inform the NORML Foundation ([foundation@norml.org](mailto:foundation@norml.org)).

Please note:

- The guide does not list penalties for every marijuana offense nor every enhanced sentence such as possessing marijuana near a school, involving a minor, and automatic driver's or professional license

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suspension. Your state may require an enhanced sentence even if the enhancement is not in the guide.

- Unless otherwise specified, please assume that listed penalties apply only to first convictions. Prior convictions often place a defendant in a higher penalty range, and convictions while on probation for a previous offense may result in revocation of probation.
- Except where indicated otherwise, a listed fine is the maximum fine for the conviction and the minimum fine is zero.
- "Possession" usually means "possessing marijuana only for personal use". If the government accuses you of possessing marijuana for other reasons, the accompanying penalties will probably exceed those for possessing marijuana for personal use. Possessing large amounts of marijuana frequently results in more serious charges of "possession with intent to distribute", "trafficking", and/or "sale".
- Many factors contribute to a defendant's sentence. Factors include level of involvement in the prohibited conduct, location, age, presence or absence of minors, use or presence of weapons, conduct for which a person has been acquitted, and many other things.
- If you are in trouble, please know your rights and hire an attorney.

Warning: The information contained in this report is for informational purposes only. Individuals are encouraged to confirm their state's laws before engaging in any particular behavior, or before going to court without a lawyer.

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Metric units to United States units of measurements:
One ounce (oz.) = 28.35 grams
One pound (lb.) = 16 ounces = 453.59 grams
One kilogram (kg.) = 1,000 grams (g) = 2.2 pounds (lbs.)