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Iowa Laws and Penalties

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Offense	Penalty	Incarceration	Max. Fine
Possession			
Any amount (first offense)	Misdemeanor	6 months	\$ 1,000
Any amount (second offense)	Misdemeanor	1 year	\$ 2,560
Any amount (third offense)	Misdemeanor	2 years	\$ 8,540
Offenders who are chronic abusers of marijuana may be sent to rehab.			
Cultivation or Distribution			
50 kg or less	Felony	5 years	\$ 7,500
More than 50 - 100 kg	Felony	10 years	\$ 50,000
More than 100 - 1000 kg	Felony	25 years	\$ 100,000
More than 1000 kg	Felony	50 years	\$ 1,000,000
Involving a minor	Felony	5* - 25 years	\$ 100,000
To a minor within 1000 feet of a park, elementary or middle school, or school bus	Felony	10 years*	\$ 100,000
* Mandatory minimum sentence			
Distribution includes possession with intent to distribute			
Hash & Concentrates			
Penalties for hashish are the same as for marijuana except in one circumstance. Please see the marijuana penalties section for further details.			
Paraphernalia			
Possession, distribution, or manufacture of paraphernalia	Misdemeanor	6 months	\$ 1,000
Miscellaneous			
Sponsoring, promoting, or assisting in a gathering where marijuana will be used, distributed, or possessed	Misdemeanor	1 year	\$ 2,560
Possession with intent to sell large amounts can lead to an automatic driver's license suspension.			

Penalty Details

Marijuana is a schedule I hallucinogenic substance under the Iowa Controlled Substances Act.

- Iowa Code § 124.204(4)

Possession for Personal Use

For first offenders, possession of any amount of marijuana is a misdemeanor and is punishable by a fine of up to \$1,000 and/or up to six months of imprisonment. Second offenders are subject to a maximum fine of \$2,560 and/or up to one year of imprisonment. Third offenses are considered aggravated misdemeanors and are punishable by a maximum fine of \$8,540 and/or up to two years of imprisonment.

Offenders who are chronic abusers of marijuana may be sent to rehab.

- Iowa Code § 124.401(5)(b)
- Iowa Code § 124.409

Cultivation or Distribution

Distribution of marijuana includes possessing marijuana with the intent to distribute it.

Distribution or cultivation of 50 kilograms of marijuana or less is a felony punishable by a maximum fine of \$7,500 and up to five years of imprisonment. Distribution or cultivation of more than 50 and up to 100 kilograms of marijuana is a felony and is punishable by a maximum fine of \$50,000 and up to 10 years of imprisonment. Distribution or cultivation of more than 100 and up to 1,000 kilograms of marijuana is a felony and is punishable by a maximum fine of \$100,000 and up to 25 years of imprisonment. Distribution or cultivation of more than 1,000 kilograms of marijuana is a felony and is punishable by a maximum fine of \$1,000,000 and up to 50 years of imprisonment.

If a person over the age of 18 distributes marijuana to someone under the age of 18 this constitutes a felony punishable by a maximum fine of \$100,000 and up to 25 years of imprisonment, in addition a mandatory minimum term of five years will apply. If the sale to a minor occurs within 1,000 feet of a park, elementary school, middle school, or marked school bus a mandatory minimum term of 10 years will apply.

- Iowa Code § 124.401(1)(d)
- Iowa Code § 124.401(1)(c)(6)
- Iowa Code § 124.401(1)(b)(6)
- Iowa Code § 124.401(1)(a)(6)
- Iowa Code § 124.406

Hash & Concentrates

Iowa classifies Marijuana and Tetrahydrocannabinols separately as hallucinogenic substances in Schedule 1 of the Iowa Controlled Substances Schedule. For the purposes of criminal justice, plant Marijuana and all Tetrahydrocannabinol derivatives thereof, including hashish and marijuana concentrates, are defined as Marijuana and punished equally in all but one circumstance. The only circumstance where plant-form Marijuana is treated differently is for a charge of delivery or possession with intent to deliver one half ounce or less without remuneration. In that circumstance, plant-form marijuana is punished equivalent to the penalties for simple possession, whereas delivery, or possession with intent to deliver an equivalent amount of hashish, hash oil, or other derivatives are punished in accordance with the regular penalties for distribution.

- Iowa Code § 124.410

Paraphernalia

Possession, distribution, or manufacture of marijuana paraphernalia is misdemeanor and is punishable by a fine of up to \$1,000 and/or up to six months imprisonment.

- Iowa Code § 124.414

Miscellaneous

Sponsoring, promoting, or assisting in the sponsorship or promotion of a gathering with the knowledge that marijuana will be used, distributed, or possessed at that event is a misdemeanor punishable by a maximum fine of \$2,560 and/or up to one year of imprisonment.

Possession with intent to sell large amounts of marijuana can lead to an automatic driver's license suspension.

More Information

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.

DRUGGED DRIVING

Every state criminalizes driving under the influence of a controlled substance. Some jurisdictions also impose additional per se laws. In their strictest form, these laws forbid drivers from operating a motor vehicle if they have a 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, state-imposed threshold. Read further information about cannabinoids and their impact on psychomotor performance. Additional information regarding cannabinoids and proposed per se limits is available online.

LOW THC

This state has passed a low THC law allowing for the use of cannabis extracts that are high in CBD and low in THC in instances where a physician has recommended such treatment to a patient with a state-qualifying condition.

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.

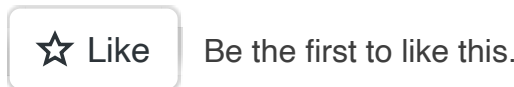
TAX STAMPS

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.

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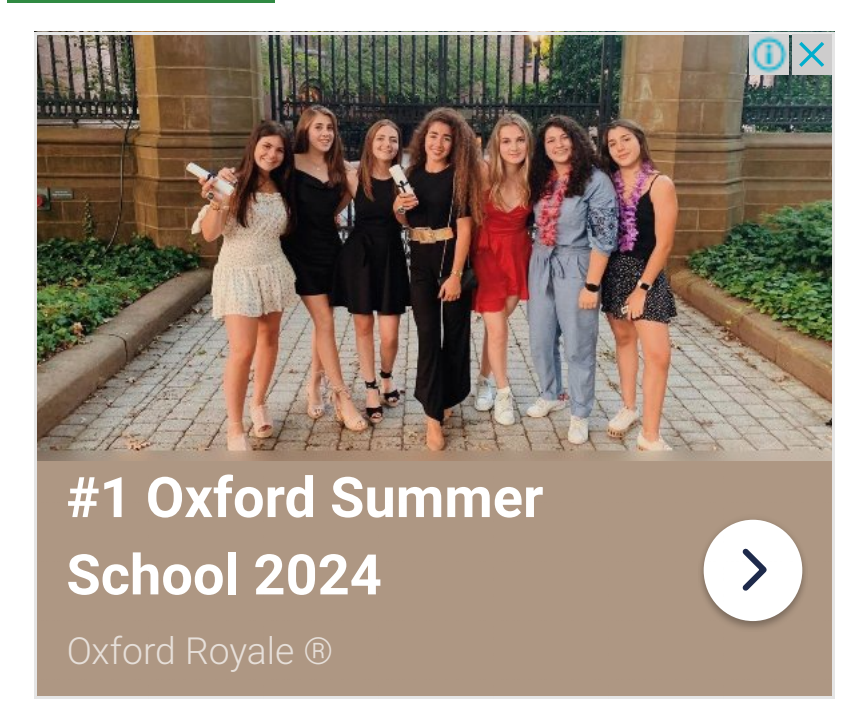
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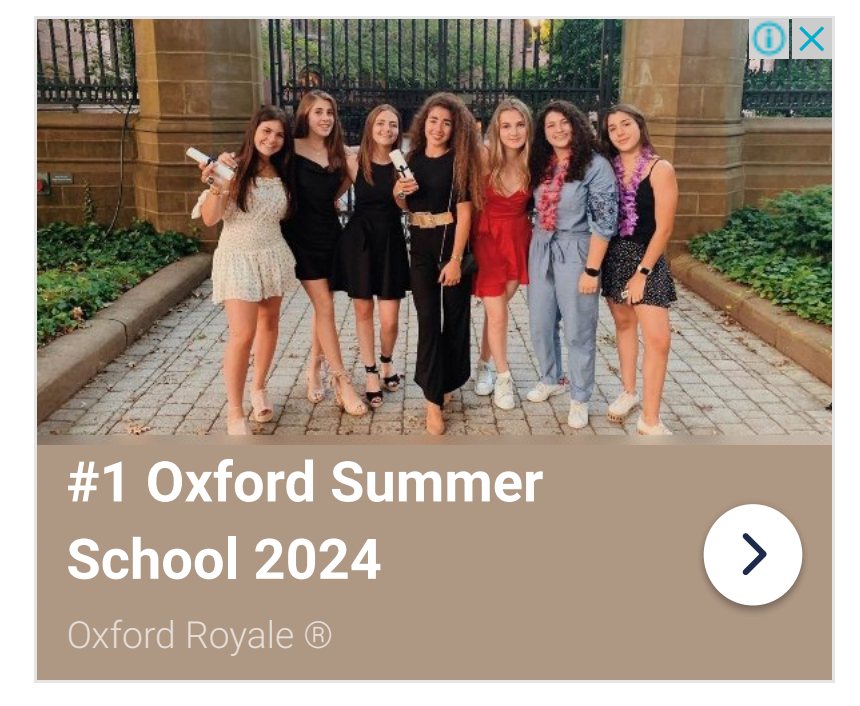
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