



## Iowa Laws & Penalties

- [Conditional Release](#)
- [Drugged Driving](#)
- [Mandatory Minimum Sentence](#)
- [Medical CBD](#)
- [Tax Stamps](#)

Offense	Penalty	Incarceration	Max. Fine
<b>Possession</b>			
Any amount (first offense)	Misdemeanor	6 months	\$ 1,000
Any amount (second offense)	Misdemeanor	1 year	\$ 1,875
Any amount (third offense)	Misdemeanor	2 years	\$ 6,250
Offenders who are chronic abusers of marijuana may be sent to rehab.			
<b>Cultivation or Distribution</b>			
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
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## Miscellaneous

Sponsoring, promoting, or assisting in a gathering where marijuana will be used, distributed, or possessed	Misdemeanor	1 year	\$ 1,875
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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.

*See*

- Iowa Code § 124.204(4)(m) [Web Search](#)

### 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 6 months of imprisonment. Second offenders are subject to a fine of \$315-\$1875 and/or up to 1 year of imprisonment. Third offenses are considered aggravated misdemeanors and are punishable by a fine of \$625-\$6250 and/or up to 2 years of imprisonment.

*See*

- Iowa Code § 124.401(c)(5) [Web Search](#)
- Iowa Code § 903.1 [Web Search](#)
- Iowa Code § 124.409 [Web Search](#)

Offenders who are chronic abusers of marijuana may be sent to rehab. If this program is successfully completed the court may place the defendant on probation.

*See*

- Iowa Code § 124.409 [Web Search](#)

Possession of marijuana within 1,000 feet of an elementary school, secondary school, public park, or school bus is punishable by the penalty for possession and 100 hours of community service.

*See*

- Iowa Code § 124.401B [Web Search](#)

### **Cultivation or Distribution**

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

Delivery or possession with intent to deliver one half ounce or less of plant-form marijuana without remuneration is equivalent to simple possession in Iowa, with penalties for a first offense being a misdemeanor with incarceration of no more than 6 months, and a fine of no more than \$1000 dollars. Subsequent convictions for delivery without remuneration will be punished more severely, just as subsequent simple possession convictions would be.

*See*

- Iowa Code § 124.410 [Web Search](#)

Distribution or cultivation of 50 kilograms of marijuana or less is a class D felony punishable by a fine of \$750-\$7,500 and up to 5 years of imprisonment. Distribution or cultivation of more than 50-100 kilograms of marijuana is a class C felony and is punishable by a fine of \$1,000-\$50,000 and up to 10 years of imprisonment. Distribution or cultivation of more than 100-1,000 kilograms of marijuana is a class B felony and is punishable by a fine of \$5,000-\$100,000 and up to 25 years of imprisonment. Distribution or cultivation of more than 1,000 kilograms of marijuana is a class B felony and is punishable by a fine of not more than \$1,000,000 and up to 50 years of imprisonment.

*See*

- Iowa Code § 124.401 [Web Search](#)

If a person over the age of 18 solicits a person under the age of 18 to assist in the distribution or cultivation of marijuana this act is punishable as a class C felony by a fine of \$1,000-\$50,000 and up to 10 years of imprisonment.

If a person over the age of 18 distributes marijuana to someone under the age of 18 this constitutes a Class B felony punishable by a fine of \$5,000-\$100,000 and up to 25 years of imprisonment, in addition a mandatory minimum term of 5 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.

*See*

- Iowa Code § 124.406 [Web Search](#)

### **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.

*See*

- Iowa Code § 124.101 [Web Search](#)
- Iowa Code § 124.204 [Web Search](#)
- Iowa Code § 124.401 [Web Search](#)
- Iowa Code § 124.410 [Web Search](#)

## Paraphernalia

Possession, distribution, or manufacture of marijuana paraphernalia is simple misdemeanor and is punishable by a fine of up to \$1,000 and/or up to 6 months imprisonment. Paraphernalia includes any item that is knowingly used to ingest, inhale, manufacture, enhance, or test marijuana quality.

*See*

- Iowa Code § 124.414 [Web Search](#)

## 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 serious misdemeanor punishable by a fine of \$315-\$1875 and/or up to 1 year of imprisonment.

*See*

- Iowa Code § 124.407 [Web Search](#)

Possession with intent to sell large amounts of pot (100-1000kg) can lead to an automatic driver's license suspension.

*See*

- Iowa Code § 124.401(1)(6) [Web Search](#)

### 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

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 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. Further information about cannabinoids and their impact on psychomotor performance is available [here](#). Additional information regarding cannabinoids and proposed per se limits is available [here](#).

### 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.

#### **MEDICAL CBD**

This state has passed a [medical CBD](#) law allowing for the use of cannabis extracts that are high in CBD and low in THC to treat severe, debilitating epileptic conditions.

#### **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](#).

# Iowa CBD-Specific Marijuana Law

Status

2014

## QUALIFYING CONDITIONS

- Intractable epilepsy

## PATIENT POSSESSION LIMITS

Limited amounts of cannabidiol oil

## HOME CULTIVATION

No

## STATE-LICENSED DISPENSARIES

No

## CAREGIVERS

No

## RECIPROCITY

No

## CONTACT INFORMATION

[N/A]