

124.401C Manufacturing methamphetamine in presence of minors.

1. In addition to any other penalties provided in [this chapter](#), a person who is eighteen years of age or older and who either directly or by extraction from natural substances, or independently by means of chemical processes, or both, unlawfully manufactures a controlled substance, counterfeit substance, simulated controlled substance, or imitation controlled substance in violation of [section 124.401, subsection 1](#), paragraph “a”, “b”, or “c”, in the presence of a minor shall be sentenced to two times the term otherwise imposed by law, and no such judgment, sentence, or part thereof shall be deferred or suspended. However, the additional term of confinement shall not be imposed on a person who has been convicted and sentenced for a child endangerment offense under [section 726.6, subsection 1](#), paragraph “g”, arising from the same facts.

2. For purposes of [this section](#), the term “*in the presence of a minor*” shall mean, but is not limited to, any of the following:

- a. When a minor is physically present during the activity.
- b. When the activity is conducted in the residence of a minor.
- c. When the activity is conducted in a building where minors can reasonably be expected to be present.
- d. When the activity is conducted in a room offered to the public for overnight accommodation.
- e. When the activity is conducted in any multiple-unit residential building.

[97 Acts, ch 125, §1; 2004 Acts, ch 1151, §1; 2006 Acts, ch 1030, §13; 2023 Acts, ch 86, §6](#)

Subsection 1 amended