

805.8C Miscellaneous scheduled violations.

1. *Energy emergency violations.* For violations of an executive order issued by the governor under the provisions of [section 473.8](#), the scheduled fine is fifty dollars.

2. *Alcoholic beverage violations.* For violations of [section 123.49, subsection 2](#), paragraph “h”, the scheduled fine for a licensee or permittee is one thousand five hundred dollars, and the scheduled fine for a person who is employed by a licensee or permittee is five hundred dollars.

3. *Violations related to smoking, tobacco, tobacco products, alternative nicotine products, vapor products, and cigarettes.*

a. For violations described in [section 142D.9, subsection 1](#), the scheduled fine is fifty dollars, and is a civil penalty, and the criminal penalty surcharge under [section 911.1](#) shall not be added to the penalty, and the court costs pursuant to [section 805.9, subsection 6](#), shall not be imposed. If the civil penalty assessed for a violation described in [section 142D.9, subsection 1](#), is not paid in a timely manner, a citation shall be issued for the violation in the manner provided in [section 804.1](#). However, a person under age eighteen shall not be detained in a secure facility for failure to pay the civil penalty. The complainant shall not be charged a filing fee.

b. For violations of [section 453A.2, subsection 1](#), by an employee of a retailer, the scheduled fine is as follows:

- (1) If the violation is a first offense, the scheduled fine is one hundred dollars.
- (2) If the violation is a second offense, the scheduled fine is two hundred fifty dollars.
- (3) If the violation is a third or subsequent offense, the scheduled fine is five hundred dollars.

c. For violations of [section 453A.2, subsection 2](#), the scheduled fine is as follows and is a civil penalty, and the criminal penalty surcharge under [section 911.1](#) shall not be added to the penalty, and the court costs pursuant to [section 805.9, subsection 6](#), shall not be imposed:

- (1) If the violation is a first offense, the scheduled fine is fifty dollars.
- (2) If the violation is a second offense, the scheduled fine is one hundred dollars.
- (3) If the violation is a third or subsequent offense, the scheduled fine is two hundred fifty dollars.

4. *Electrical or mechanical amusement device violations.*

a. For violations of legal age for operating an electrical or mechanical amusement device required to be registered as provided in [section 99B.53](#), pursuant to [section 99B.57, subsection 1](#), the scheduled fine is two hundred fifty dollars. Failure to pay the fine by a person under the age of eighteen shall not result in the person being detained in a secure facility.

b. For first offense violations concerning electrical or mechanical amusement devices as provided in [section 99B.54, subsection 2](#), the scheduled fine is two hundred fifty dollars.

5. *Gambling violations.*

a. For violations of legal age for gambling wagering under [section 99D.11, subsection 7](#), [section 99F.9, subsection 4](#), and [section 725.19, subsection 1](#), the scheduled fine is five hundred dollars. Failure to pay the fine by a person under the age of eighteen shall not result in the person being detained in a secure facility.

b. For legal age violations for entering or attempting to enter a facility under [section 99F.9, subsection 5](#), the scheduled fine is five hundred dollars. Failure to pay the fine by a person under the age of eighteen shall not result in the person being detained in a secure facility.

6. *Pseudoephedrine sales violations.* For violations of [section 126.23A, subsection 1](#), by an employee of a retailer, or for violations of [section 126.23A, subsection 2](#), paragraph “a”, by a purchaser, the scheduled fine is as follows:

- a. If the violation is a first offense, the scheduled fine is two hundred dollars.
- b. If the violation is a second offense, the scheduled fine is two hundred fifty dollars.
- c. If the violation is a third or subsequent offense, the scheduled fine is five hundred dollars.

7. *Alcoholic beverage violations by persons eighteen, nineteen, or twenty years of age.* For first offense violations of [section 123.47, subsection 4](#), the scheduled fine is two hundred dollars.

8. *Unlicensed premises owner — under eighteen years of age consumption or*

possession. For first offense violations of [section 123.47, subsection 2](#), the scheduled fine is two hundred dollars.

9. *Notification violations.* For violations of [section 229.22, subsection 6](#), the scheduled fine is one thousand dollars for a first violation and two thousand dollars for a second or subsequent violation. The scheduled fine under [this subsection](#) is a civil penalty, and the criminal penalty surcharge under [section 911.1](#) shall not be added to the penalty.

10. *Scrap metal transaction violations.* For violations of [section 714.27](#), the scheduled fine is one hundred dollars for a first violation, five hundred dollars for a second violation within two years, and one thousand dollars for a third or subsequent violation within two years. The scheduled fine under [this subsection](#) is a civil penalty which shall be deposited into the general fund of the county or city if imposed by a designated officer or employee of a county or city, or deposited in the general fund of the state if imposed by a state agency, and the criminal penalty surcharge under [section 911.1](#) shall not be added to the penalty.

2001 Acts, ch 137, §4; 2004 Acts, ch 1111, §5, 6; 2004 Acts, ch 1118, §7, 11; 2004 Acts, ch 1127, §4; 2004 Acts, ch 1136, §58; 2005 Acts, ch 15, §9, 14; 2005 Acts, ch 105, §2; 2005 Acts, ch 179, §140; 2007 Acts, ch 173, §9; 2008 Acts, ch 1084, §15; 2009 Acts, ch 88, §5; 2010 Acts, ch 1103, §3; 2010 Acts, ch 1128, §7; 2010 Acts, ch 1190, §19; 2012 Acts, ch 1099, §2; 2014 Acts, ch 1026, §142; 2014 Acts, ch 1096, §7; 2014 Acts, ch 1109, §13; 2015 Acts, ch 99, §55

Referred to in §99B.54, §99B.57, §99D.11, §99E.9, §123.47, §123.50, §126.23A, §142D.9, §229.22, §321.486, §453A.3, §473.8, §725.19, §803.3, §805.1, §805.6, §805.8, §805.8A(12)(e), §805.11, §805.15

Subsection 4 amended