

453B.12 Civil and criminal penalties for violation of chapter — interest.

1. A dealer who violates [this chapter](#) is subject to a penalty equal to the amount of the tax imposed by [section 453B.7](#), in addition to the tax imposed by that section. The dealer shall pay interest on the tax and penalty at the rate in effect under [section 421.7](#), counting each fraction of a month as an entire month, computed from the date of assessment through the date of payment. The penalty and interest shall be collected as part of the tax.

2. In addition to the civil tax penalty and interest imposed by [this section](#), a dealer distributing, offering to sell, or possessing taxable substances without affixing the appropriate stamps, labels, or other official indicia is guilty of a class “D” felony.

3. A person who possesses, prints, engraves, makes, issues, sells, or circulates a counterfeit taxable substance tax stamp, label, or other official indicia, or places or causes to be placed a counterfeit taxable substance tax stamp, label, or other official indicia on a taxable substance, is guilty of a class “D” felony.

4. A person who uses, sells, offers for sale, or possesses for use or sale a previously used or expired taxable substance tax stamp, label, or other official indicia, or attaches or causes to be attached a previously used or expired taxable substance tax stamp, label, or other official indicia to a taxable substance, is guilty of a class “D” felony.

5. Notwithstanding [section 802.3](#), an indictment may be found or information filed upon any criminal offense specified in [this chapter](#), in the proper court, within six years after the commission of the offense.

[90 Acts, ch 1251, §48](#)

[C91, §421A.12](#)

[C93, §453B.12](#)

[2015 Acts, ch 29, §114](#)

Referred to in [§803.3](#)