

### 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 5](#), 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 6](#), 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.

11. *Trespassing violations.* For trespasses punishable under [section 716.8, subsection 1 or 5](#), the scheduled fine is two hundred dollars for a first violation, five hundred dollars for a second violation, and one thousand dollars for a third or subsequent violation.

12. *Internet fantasy sports contest violations.* For violations of legal age for entering an internet fantasy sports contest under [section 99E.7](#), 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.

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; 2017 Acts, ch 140, §4; 2019 Acts, ch 132, §43, 45, 46

Referred to in §99B.54, 99B.57, 99D.11, 99E.7, 99F.9, 123.47, 123.50, 126.23A, 142D.9, 229.22, 321.486, 453A.3, 473.8, 716.8, 725.19, 803.3, 805.1, 805.6, 805.8, 805.8A(12)(e), 805.11, 805.15

NEW subsection 12