

**123.91 Second and subsequent conviction.**

Unless otherwise provided by law, a person who has been convicted in a criminal action in any court of record of a violation of a provision of [this chapter](#), except for a violation of [section 123.46](#), or a provision of the laws of the United States or of any other state relating to alcoholic liquors, wine, or beer, and who is thereafter convicted of a subsequent criminal offense against any provision of [this chapter](#) is guilty of the following offenses:

1. For the second conviction, a serious misdemeanor.
2. For the third and each subsequent conviction, an aggravated misdemeanor.  
[R60, §1561, 1563, 1577; C73, §1525, 1538, 1540, 1542, 1559; SS15, §2461-m; C24, 27, 31, 35, 39, §1964; C46, 50, 54, 58, 62, 66, 71, §126.19; C73, 75, 77, 79, 81, §123.91]  
[85 Acts, ch 32, §56](#); [2018 Acts, ch 1060, §44](#); [2019 Acts, ch 59, §44](#); [2019 Acts, ch 140, §42](#)