

**453A.3 Penalty.**

1. *a.* A person, other than a retailer as defined in [section 453A.1](#) or [453A.42](#), who violates [section 453A.2, subsection 1](#), is guilty of a simple misdemeanor.

*b.* An employee of a retailer as defined in [section 453A.1](#) or [453A.42](#), who violates [section 453A.2, subsection 1](#), commits a simple misdemeanor punishable as a scheduled violation under [section 805.8C, subsection 3](#), paragraph “*b*”.

2. A person who violates [section 453A.2, subsection 2](#), is subject to the following, as applicable:

*a.* A civil penalty pursuant to [section 805.8C, subsection 3](#), paragraph “*c*”. Notwithstanding [section 602.8106](#) or any other provision to the contrary, any civil penalty paid under [this subsection](#) shall be retained by the city or county enforcing the violation.

*b.* For a first offense, performance of eight hours of community work requirements, unless waived by the court.

*c.* For a second offense, performance of twelve hours of community work requirements.

*d.* For a third or subsequent offense, performance of sixteen hours of community work requirements.

[C97, §5005, 5006; C24, 27, 31, 35, 39, §1554; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §98.3]

[91 Acts, ch 240, §4](#)

[C93, §453A.3](#)

[94 Acts, ch 1172, §38](#); [97 Acts, ch 74, §3](#); [98 Acts, ch 1100, §63](#); [2000 Acts, ch 1105, §3](#); [2000 Acts, ch 1232, §70, 95](#); [2001 Acts, ch 137, §5](#); [2004 Acts, ch 1101, §59](#); [2005 Acts, ch 93, §1](#)