

FILED JAN 10 2006

JUDICIARY

SENATE FILE 2014  
BY ZIEMAN

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the possession of marijuana, and providing a  
2 penalty.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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JUDICIARY  
SF 2014

1 Section 1. Section 124.401, subsection 5, unnumbered  
2 paragraph 2, Code 2005, is amended by striking the unnumbered  
3 paragraph.

4 EXPLANATION

5 This bill relates to the possession of marijuana. The bill  
6 makes the penalties for possession of marijuana equal to the  
7 penalties for the possession of most other controlled  
8 substances. The bill makes a first offense possession of  
9 marijuana a serious misdemeanor, a second offense an  
10 aggravated misdemeanor, and a third or subsequent offense a  
11 class "D" felony.

12 Current law provides a first offense is punishable by  
13 imprisonment in the county jail for no more than six months or  
14 by a fine of not more than \$1,000, or both. A second offense  
15 is punishable as a serious misdemeanor, and a third or  
16 subsequent offense is punishable as an aggravated misdemeanor.

17 A serious misdemeanor is punishable by confinement for no  
18 more than one year and a fine of at least \$250 but not more  
19 than \$1,500. An aggravated misdemeanor is punishable by  
20 confinement for no more than two years and a fine of at least  
21 \$500 but not more than \$5,000. A class "D" felony is  
22 punishable by confinement for no more than five years and a  
23 fine of at least \$750 but not more than \$7,500.

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