

DRUG LAW VIOLATIONS: FEDERAL STUDENT FINANCIAL AID PENALTIES

Contact: Tuition & Financial Aid | Email: onestop@indianhills.edu | Phone: (641) 683-5155

Federal law provides that a student who has been convicted of an offense under any federal or state law involving the possession or sale of a controlled substance during a period of enrollment for which the student was receiving financial aid shall not be eligible to receive any federal or institutional grant, loan, or work assistance.

Applicable Legal Sanctions

Both state and federal laws prohibit distribution of, manufacture of, or possession with intent to distribute a controlled substance or a counterfeit controlled substance. State penalties range from five years to life confinement and a fine of \$1,000 to \$1,000,000, depending upon the type and quantity of drug involved. Conviction may also result in the loss of state and federal benefits, such as grants, school loans, or work assistance, during the time periods required by federal law. Specific drugs, amounts, and penalties are described in Iowa Code § 124.

Maximum federal penalties range from one year confinement to life imprisonment and a fine of \$250,000 to \$4,000,000, depending upon the type and quantity of drug involved. State and federal legal sanctions are subject to change by the General Assembly and Congress, respectively.

Penalties for Driving Under the Influence of Alcohol or Drugs in Iowa

| Offense | License Suspension | Incarceration | Fine |
|---------|--------------------|--------------------|-----------------|
| First | 180 days | 2 days to 1 year | \$625-\$1,250 |
| Second | 2 years | 7 days to 2 years | \$1,875-\$6,250 |
| Third | 6 years | 30 days to 5 years | \$3,125-\$9,375 |

Iowa Drug Laws and Penalties

| Offense | Penalty | Incarceration | Maximum Fine |
|--|-------------|---------------|--------------|
| <i>Possession (Offenders who are chronic abusers of marijuana may be sent to rehab.)</i> | | | |
| Any amount (first offense) | misdemeanor | 6 months | \$1,000 |
| Any amount (second offense) | misdemeanor | 1 year | \$1,875 |
| Any amount (third offense) | misdemeanor | 2 years | \$6,250 |

Cultivation or Distribution *(Distribution includes possession with intent to distribute.)*

| Offense | Penalty | Incarceration | Maximum Fine |
|---|---------|---------------|--------------|
| 50 kg or less | felony | 5 years | \$7,500 |
| 50-100 kg | felony | 10 years | \$50,000 |
| 100-1000 kg | felony | 25 years | \$100,000 |
| Involving a minor | felony | 5*-25 years | \$100,000 |
| To a minor within 1000 feet of a park, elementary or middle school, or school bus | felony | 10 years* | \$100,000 |

* Mandatory minimum sentence

Hash and Concentrates

Penalties for hashish are the same as for marijuana except in the circumstance where the plant-form marijuana is for a charge of delivery or possession with intent to deliver one half ounce or less without remuneration. In that circumstance, plant-form marijuana is punished equivalent to the penalties for simple possession, whereas delivery, or possession with intent to deliver an equivalent amount of hashish, hash oil, or other derivatives are punished in accordance with the regular penalties for distribution.

Paraphernalia

| Offense | Penalty | Incarceration | Maximum Fine |
|--|----------------|----------------------|---------------------|
| Possession, distribution or manufacture of paraphernalia | misdemeanor | 6 months | \$1,000 |

Miscellaneous *(possession with intent to sell large amounts can lead to an automatic driver's license suspension)*

| Offense | Penalty | Incarceration | Maximum Fine |
|---|----------------|----------------------|---------------------|
| Sponsoring, promoting or assisting in a gathering where marijuana will be used, distributed, or possessed | misdemeanor | 1 year | \$1,875 |