

**88B.12 Penalties.**

1. A person or business entity who willfully violates a provision of [this chapter](#) or a rule adopted pursuant to [this chapter](#) shall be assessed a civil penalty of not more than five thousand dollars for each violation.

2. A person or business entity who previously has been assessed a civil penalty under [this section](#), and who willfully violates a provision of [this chapter](#) or a rule adopted pursuant to [this chapter](#):

a. For a first offense, is guilty of a simple misdemeanor and shall be fined not to exceed twenty thousand dollars.

b. For a second or subsequent offense, is guilty of an aggravated misdemeanor and shall be fined not to exceed twenty-five thousand dollars or imprisoned for not to exceed two years, or both.

[84 Acts, ch 1062, §12](#)