

2. Upon a finding that a financial institution has committed a violation of either section 535A.2, ~~535A.4~~, or 535A.9 the court may award actual damages, court costs, and attorney fees.

Sec. 4. Section 535A.7, Code 2009, is amended to read as follows:

**535A.7 Criminal penalty.**

Any person who knowingly engages in a practice which violates the provisions of section 535A.2, ~~535A.4~~ or 535A.9 is guilty of a serious misdemeanor.

Sec. 5. REPEAL. Sections 535A.4 and 535A.5, Code 2009, are repealed.

Approved April 7, 2010

## CHAPTER 1115

### PERIODIC EVALUATIONS OF AIR QUALITY STANDARDS

*H.F. 2418*

**AN ACT** relating to periodic evaluations of certain air quality standards.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 455B.134, Code 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 14. Convene meetings not later than June 1 during the second calendar year following the adoption of new or revised federal ambient air quality standards by the United States environmental protection agency to review emission limitations or standards relating to the maximum quantities of air contaminants that may be emitted from any air contaminant source as provided in section 455B.133, subsection 4. By November 1 of the same calendar year, the department shall submit a report to the governor and the general assembly regarding recommendations for law changes necessary for the attainment of the new or revised federal standards.

Sec. 2. AIR QUALITY RECOMMENDATIONS. The department of natural resources shall convene meetings as necessary to develop recommendations for the establishment of state implementation plans sufficient to control the direct emissions of particulate matter with an aerodynamic diameter of less than or equal to two and one-half micrometers and emissions of precursor compounds that contribute to the formation of particulate matter with an aerodynamic diameter of less than or equal to two and one-half micrometers and to prevent ambient concentrations from exceeding the federal ambient air quality standards for particulate matter with an aerodynamic diameter of less than or equal to two and one-half micrometers in all areas of the state. By January 1, 2011, the department shall submit a report with recommendations to the governor and the general assembly. The report shall include recommendations necessary to meet the provisions of this section.

Approved April 7, 2010