

553.12 Remedies.

The state or a person who is injured or threatened with injury by conduct prohibited under [this chapter](#) may bring suit to:

1. Prevent or restrain conduct prohibited under [this chapter](#) and remove the conduct's effect by injunction, divestiture, divorcement, dissolution of domestic enterprises right to do business in this state, compelling the forfeiture or restraint of the issuance of a certificate of incorporation, permit to transact business, license, or franchise, or granting other equitable relief. The state may bring suit under [this section](#) without posting bond.
2. Recover actual damages resulting from conduct prohibited under [this chapter](#).
3. Recover, at the court's discretion, exemplary damages which do not exceed twice the actual damages awarded under [subsection 2](#), from a person other than a city or county or legal entity created by a city or county, if all of the following apply:
 - a. The trier of fact determines that the prohibited conduct is willful or flagrant.
 - b. The person bringing suit is not the state.
4. Recover the necessary costs of bringing suit, including a reasonable attorney fee.

However, the state may not recover any attorney fee.

[C77, 79, 81, §553.12]

[84 Acts, ch 1020, §2; 2022 Acts, ch 1021, §161](#)

Referred to in [§553.13](#), [553.16](#), [553.17](#)

Subsection 3 amended