WEST VIRGINIA CODE: §5A-14-6

§5A-14-6. Remedies; attorney general notice; statute of limitations.

(a) A person who is injured by a violation of §5A-13-5 of this code may bring a civil action against the financial institution in his or her own name in the circuit court for the county where the alleged violation occurred. If the injured person prevails on his or her claim, then the court shall award the injured person reasonable attorney fees and costs. The court may further award the prevailing injured person any of the following:

(1) Actual and compensatory damages;

(2) Punitive or exemplary damages;

(3) Injunctive relief; and

(4) Any other appropriate civil relief.

(b) The Attorney General may file a civil action for a violation of §5A-13-5 of this code: *Provided*, That the authority granted to the Attorney General does not affect the right of a person who is injured by a violation of §5A-13-5 of this code to bring an action for a violation of the rights protected under this article. The Attorney General may request the court to do any of the following:

(1) Issue a declaratory judgment that an act or practice violates this article;

(2) Enjoin any act or practice that violates this article by issuing a temporary restraining order or preliminary or permanent injunction, without a bond, after providing appropriate notice; and

(c) The Attorney General shall submit the name of any financial institution that has violated this article to the Governor and request that the state terminate any business relationship with the financial institution in a commercially reasonable manner within one year.

(d) Any civil action brought pursuant to this section shall be commenced within not more than two years after the date that the violation is discovered or should reasonably have been discovered.

(e) The remedies and actions available or required under this section shall not be applicable if a financial institution has a written policy prohibiting the institution from discriminating against firearm entities as those terms are defined in §5A-13-2 of this code.

WV Legislature