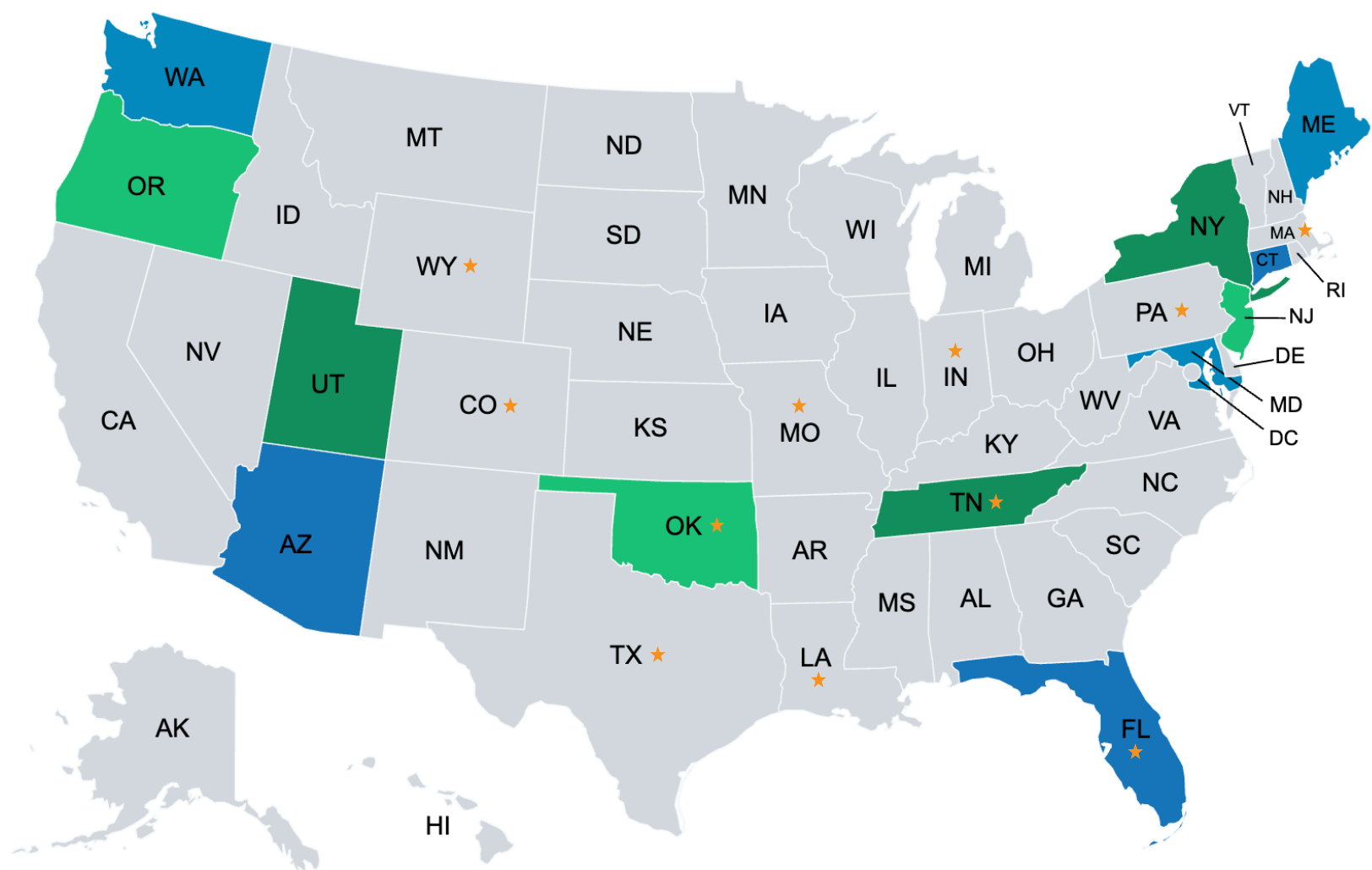


State-by-State Telemarketing and Do Not Call Restrictions

The TCPA does not preempt state laws. Is your business calling or texting consumers in any of these states?



Arizona House Bill 2498

Arizona House Bill 2498 (2023) amends the state's "do not call" law to prohibit sellers and solicitors from initiating outbound telephone solicitation calls or text messages to numbers listed on the National Do Not Call Registry, unless the seller has consent, an employment agreement, or a personal relationship with the consumer. The law includes exceptions for communications expressly permitted by federal law, or for licensed real estate professionals under specific statutory conditions. The attorney general may investigate violations and impose fines up to \$1,000 per violation, with all penalties paid to the state general fund.

Connecticut Senate Bill 1058

Expands Connecticut's telemarketing statutes by prohibiting telephonic sales calls without the consumer's prior express written consent, regardless of whether the call is autodialed or prerecorded. Adds a requirement that callers disclose, within the first 10 seconds, (1) their name, (2) the reason for the call, and (3) the name of the business on whose behalf the call is made. Also applies these requirements to text messages and restricts call times to between 9:00 a.m. and 8:00 p.m. local time for recipients.

Florida House Bill 761

Effective May 2023, this bill amended the Florida Telephone Solicitation Act and the definition of an autodialer, limiting restrictions on telephonic sales calls to those using systems that automatically select and dial numbers or play a recorded message, clarifies disclosure requirements, modifies the definition of "prior express written consent," and adds a safe harbor for text messages requiring a "STOP" reply before legal action may be taken.

Maine Legislative Document 2234

Amending the Act to Impede Robocalling of June 2023, Maine Legislative Document 2234 revises the state's telephone solicitation law to require telephone solicitors to use the Federal Communication Commission's Reassigned Numbers Database to verify that a consumer's number has not been reassigned before initiating a telephone sales call. This requirement, effective July 16, 2024, excludes calls made at the consumer's express request or to those with an established business relationship, and is enforced by the attorney general with penalties of up to \$10,000 for a first violation and \$25,000 for subsequent violations.

Maryland House Bill 1228

Maryland House Bill 1228, an amendment to the Stop the Spam Calls Act signed into law on April 25, 2024, exempts noncommercial telephone solicitations for purposes of public opinion research - such as surveys, canvasses, and polls - from the state's restrictions on automated systems and recorded messages used in telemarketing. The law maintains that commercial solicitations still fall under the existing rules, including consent requirements and call restrictions. Aggrieved parties retain the right to seek injunctions and recover damages if a violation occurs outside of these newly clarified exemptions. HB 1228 took effect immediately upon the governor's approval and refines the scope of Maryland's telephone solicitation law by distinguishing noncommercial research from regulated telemarketing activity.

New Jersey Senate Bill 921

New Jersey Senate Bill 921 requires telemarketers making sales calls to accurately disclose the telemarketer's name, the name and telephone number of the person or entity on whose behalf the call is made, and the call's purpose within the first 30 seconds of the call. The telemarketer must also provide the mailing address for themselves and any business they represent on any website they operate and on all subsequent written communications to customers. The law prohibits unsolicited telemarketing calls between 9:00 p.m. and 8:00 a.m. and makes violations a disorderly persons offense, except when a customer has affirmatively requested follow-up contact from the telemarketer.

New York Seinfeld Law

Effective January 1, 2025, New York's "Seinfeld Law" requires telemarketers to identify themselves, the company they represent, and the purpose of the call within the first 30 seconds, state whether the call is being recorded, and provide an immediate opt-out from future calls. A specific provision also requires telemarketers to give the mailing address and telephone number of the entity on whose behalf the call is made within the same time frame, ensuring consumers have full contact information early in the conversation.

Oklahoma Telephone Solicitation Act of 2022

Amends Oklahoma's Telephone Solicitation Act of 2022 to broadly define "automated system" for selecting or dialing numbers, prohibits telephonic sales calls (including texts) using such systems to wireless or landline numbers without prior express written consent, and limits calls on the same subject to no more than three in a 24-hour period. The law removes established business relationship and inquiry exemptions, and creates a private right of action for consumers, with penalties of \$500 per violation or up to \$1,500 for willful or knowing violations. Solicitors are also restricted from calling before 8:00 a.m. or after 8:00 p.m. local time.

Oregon House Bill 3865

In 2025, Oregon updated its telemarketing laws through House Bill 3865, expanding regulations to cover both calls and text messages. The law requires telemarketers to obtain clear, documented consent before using automated systems and prohibits more than three solicitations per person per day. Solicitations may only be made between 9:00 a.m. and 7:00 p.m. local time, and senders must disclose their identity, the business represented, and the purpose of the message. Caller ID must not be blocked or altered, and violations may result in civil penalties of up to \$5,000 per offense.

Tennessee Senate Bill 868

Tennessee Senate Bill 868 extends the prohibitions, requirements, and penalties for telephone solicitations to include text message solicitations. The law defines text message solicitations as messages sent to encourage the purchase, rental, or investment in goods or services and prohibits sending such messages to numbers on the Do Not Call/Do Not Text Registry, with a maximum penalty of \$2,000 per violation. Exceptions include recipients with prior express permission, not-for-profit organization members contacting on the group's behalf, existing customers from the past 12 months, and certain business-to-business communications under specified conditions.

Utah House Bill 217

Utah House Bill 217 modifies Utah's Telephone and Facsimile Solicitation Act to clarify the definition of "telephone solicitation," including offers to purchase property from the recipient, and expands restrictions to prohibit calls and messages to wireless devices without prior express consent. The bill also updates exemptions and clarifies that certain business-to-business contacts and previous business relationships may be excluded from restriction under specified conditions.

Washington House Bill 1051

Washington's Robocall Scam Protection Act (HB 1051), effective July 23, 2023, expands consumer protections against robocalls by making it illegal to transmit commercial solicitations using automatic dialing and announcing devices to numbers on the federal Do Not Call Registry. The law prohibits caller ID spoofing intended to defraud or cause harm, and bars phone service providers from knowingly enabling illegal robocalls. It extends a private right of action to residents, increases statutory damages to up to \$1,000 per violation, and imposes civil penalties ranging from \$500 to \$2,000 for offenders. Exemptions apply for recognized non-profit organizations and certain established business relationships, while all other telemarketers must promptly honor do not call requests and clearly identify themselves at the start of each call.

★ State Do Not Call Lists

Eleven states operate their own Do Not Call registry in addition to the National Do Not Call list: Colorado, Florida, Indiana, Louisiana, Massachusetts, Missouri, Oklahoma, Pennsylvania, Texas, Tennessee, and Wyoming.

About Gryphon AI

Gryphon AI empowers marketing, customer service, and sales organizations to deliver **meaningful revenue growth**, **enhanced customer experience**, and **essential risk mitigation** by seamlessly balancing regulatory compliance and business-specific objectives throughout every interaction.

For over two decades, Gryphon AI has been the trusted guardian of compliant outreach for more than 200 enterprise organizations across highly regulated industries, maintaining an impeccable record of \$0 in fines while achieving a remarkable 97% customer satisfaction rate.

Unleash potential across your organization and contact the Gryphon AI team at **(617) 279-2609 or by visiting www.gryphon.ai today.**