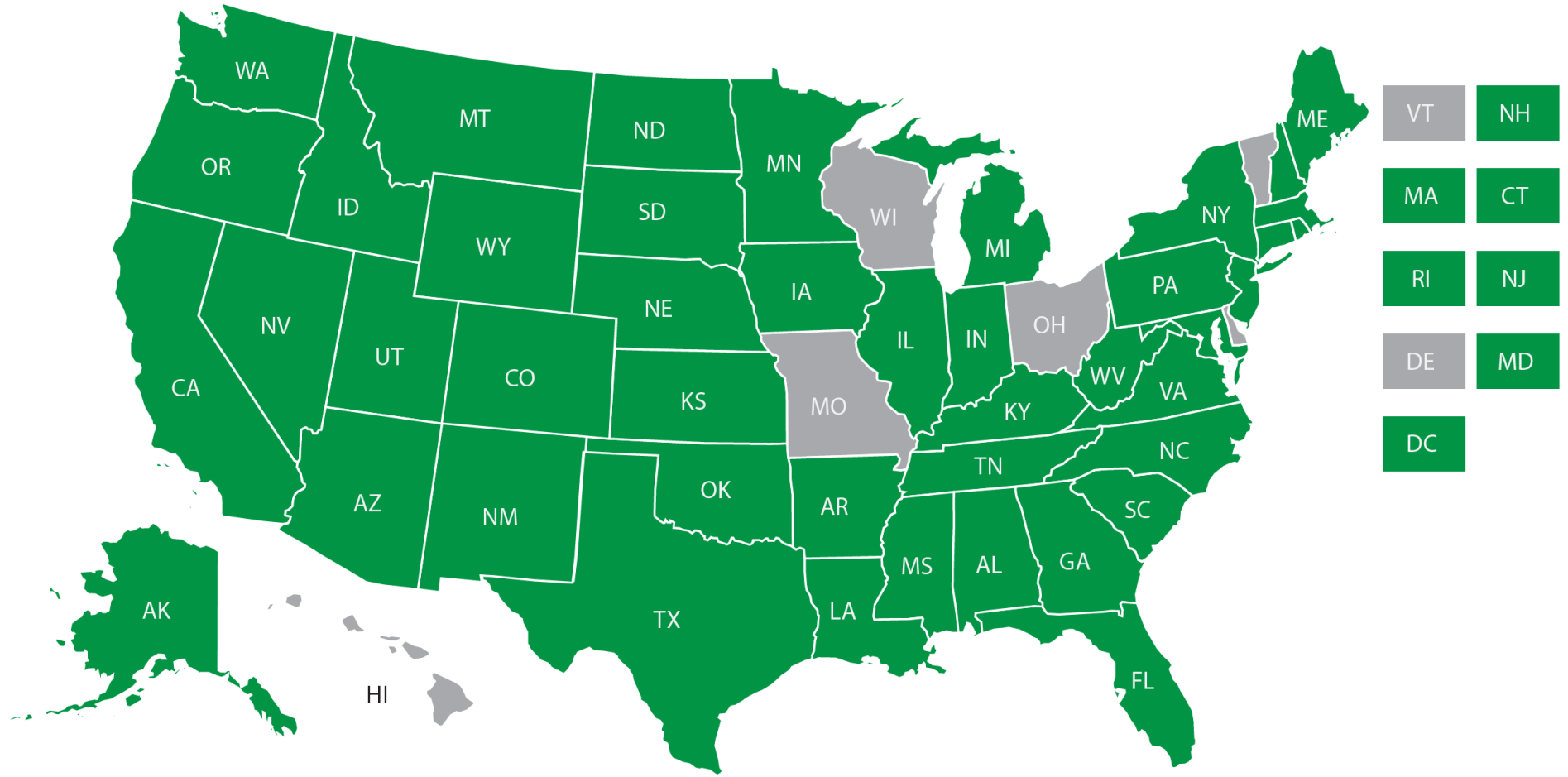
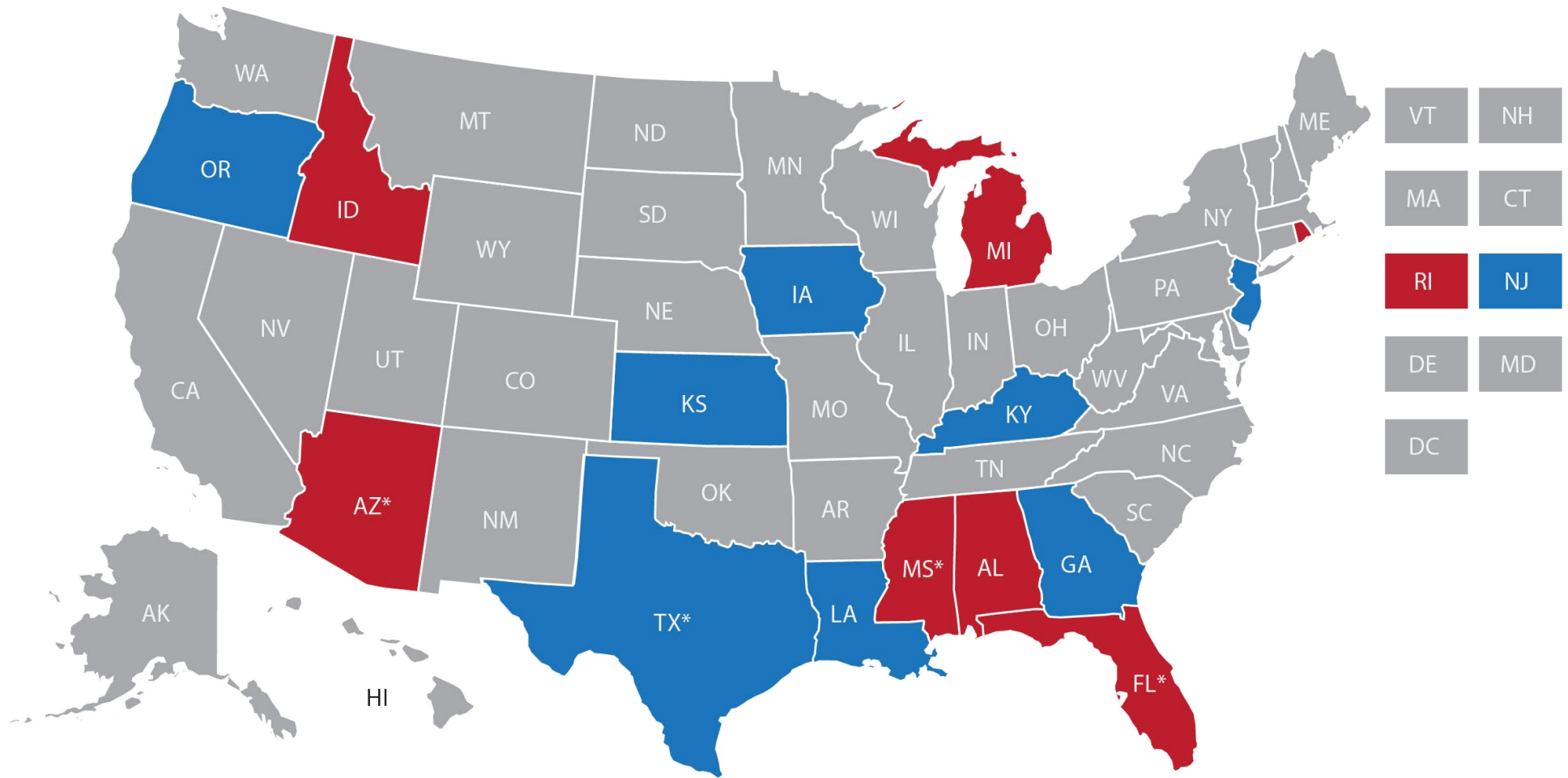


CALLING RESTRICTIONS: STATE AUTODIALER LAWS

STATES WITH AUTODIALER LAWS (44 STATES + DC)



STATES WITH FINANCIAL SERVICES-RELATED EXEMPTIONS (15 STATES)



*AZ, FL, TX have multiple statutes governing autodialers, exemptions are only in one statute.

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State/Statute	Provisions
<p>Alabama Ala. Code §§ 8-19A-1 et seq.</p>	<p>Applicability/Definitions: Commercial telephone solicitation: “An unsolicited telephone call to a person initiated by a commercial telephone seller or salesperson, or an automated dialing machine used in accordance with this chapter for the purpose of inducing the person to purchase or invest in consumer goods or services.”</p> <p>Relevant Exemptions Supervised financial institutions, which includes consumer finance lenders, among other institutions.</p> <p>Relevant Restrictions Commercial telephone sellers must obtain a license. Licensees must make certain oral disclosures within the first 30 seconds of a call and inform consumers of their cancellation rights if a purchase is made.</p>
<p>Alaska AS § 45.50.475</p>	<p>Applicability/Definitions: N/A</p> <p>Relevant Exemptions Calls made in response to a customer request.</p> <p>Relevant Restrictions It is an unfair or deceptive act or practice to originate a telephone call using an automated or recorded message as a telephonic advertisement or a telephone solicitation.</p>
<p>Arizona ARS §13-2919</p>	<p>Applicability/Definitions: N/A</p> <p>Relevant Exemptions Calls or messages sent with prior express invitation or permission from the recipient and those sent to a recipient with a prior existing business relationship.</p> <p>Relevant Restrictions The statute prohibits any person from using an “automated system for the selection and dialing of telephone numbers and the playing of a recorded message or sending a text message for the purpose of soliciting persons to purchase goods or services.”</p>

State/Statute	Provisions
<p>Arizona</p> <p>ARS §§ 44-1271 et seq.</p>	<p>Applicability/Definitions:</p> <p>Seller: “A person who performs activities including initiating calls to provide merchandise to consumers and responding to consumer inquiries generated by certain communications, notifications, or advertisements sent to the consumer, such as an offer to make a loan.” Full definition available at § 44-1271</p> <p>Relevant Exemptions</p> <p>Companies licensed by the Financial Institutions Division only need to file a limited registration statement but still have abide by provisions governing unlawful practices.</p> <p>Relevant Restrictions</p> <p>Sellers may not use any automatic terminal equipment that uses a random or sequential number generator unless the equipment excludes calls to emergency numbers, healthcare facilities, a service that charges a consumer for a call, or consumers who have previously stated they do not want to receive solicitation calls.</p>
<p>Arkansas</p> <p>Ark. Code § 5-63-204</p>	<p>Applicability/Definitions: N/A</p> <p>Relevant Exemptions</p> <p>Calls made to inform the receipt and availability of goods or services for delivery or made to convey information about the status of an order that was previously made.</p> <p>Calls or messages sent in response to a call initiated by the consumer.</p> <p>Relevant Restrictions</p> <p>It is unlawful for any person to use a telephone for the purpose of offering any goods or services for sale, or for conveying information regarding any goods or services for the purpose of soliciting the sale or purchase of the goods or services when the use involves an automated system for the selection and dialing of telephone numbers and the playing of recorded messages.</p>

State/Statute	Provisions
<p>California</p> <p>Cal. Public Utilities Code §§ 2871 et seq.</p>	<p>Applicability/Definitions</p> <p>Automatic dialing-announcing device: “Any automatic equipment which incorporates a storage capability of telephone numbers to be called or a random or sequential number generator capable of producing numbers to be called and the capability, working alone or in conjunction with other equipment, to disseminate a prerecorded message to the telephone number called.”</p> <p>Relevant Exemptions</p> <p>Does not apply to any automatic dialing-announcing device that is not used to randomly or sequentially dial telephone numbers, but that is used solely to transmit a message to an established business associate or customer, or to any call in response to a consumer’s request.</p> <p>Relevant Restrictions</p> <p>A person cannot operate an automatic dialing-announcing device in California to place a call received in California between 9:00 p.m. and 9:00 a.m. California time.</p>
<p>Colorado</p> <p>Colo. Rev Stat § 18-9-311</p>	<p>Applicability/Definitions: N/A</p> <p>Relevant Exemptions</p> <p>Calls in which there is an existing business relationship and the receiver consents to hear a prerecorded message.</p> <p>Relevant Restrictions</p> <p>No person shall utilize an automated dialing system with a prerecorded message for the purpose of soliciting another person to purchase goods or services, whether such solicitation occurs or is intended to occur during the prerecorded message or during some further communication initiated by or resulting from the prerecorded message</p>
<p>Connecticut</p> <p>Conn. Gen. Stat. § 16-256e</p>	<p>Applicability/Definitions: N/A</p> <p>Relevant Exemptions: N/A</p> <p>Relevant Restrictions</p> <p>No person may use “any device which transmits an unsolicited recorded telephone message for any commercial, business or advertising purpose to any telephone customer in the state and which continues the call and message after the customer hangs up the receiver.”</p>

State/Statute	Provisions
Connecticut Conn. Gen. Stat. § 52-570c	<p>Applicability/Definitions: N/A</p> <p>Relevant Exemptions: N/A</p> <p>Relevant Restrictions</p> <p>No person shall use “a machine that electronically transmits facsimiles through connection with a telephone network or a device that automatically transmits a recorded telephone message to transmit unsolicited advertising material or an unsolicited telephone message which offers to sell goods or services.”</p>
Delaware	N/A
District of Columbia D.C. Code § 34–1701	<p>Applicability/Definitions</p> <p>Automated dialing or push-button or tone-activated address signaling telephone system with a prerecorded message: “Any equipment used for telephone solicitation purposes, which alone or in conjunction with other equipment, can convey a prerecorded or synthesized voice message to the number called.”</p> <p>Relevant Restrictions</p> <p>A person may not use an automated dialing, push-button, or tone-activated address signaling telephone system with a prerecorded message for the sole purpose of soliciting a person over the telephone to purchase or lease goods, services, or real property.</p>

State/Statute

Provisions

<p>Florida</p> <p>Fla. Stat. § 501.059</p>	<p>Applicability/Definitions</p> <p>Telephone solicitor: “A natural person, firm, organization, partnership, association, or corporation, or a subsidiary or affiliate thereof, doing business in this state, who makes or causes to be made a telephonic sales call, including, but not limited to, calls made by use of automated dialing or recorded message devices.”</p> <p>Telephonic sales call: “A telephone call, text message, or voicemail transmission to a consumer for the purpose of soliciting a sale of any consumer goods or services, soliciting an extension of credit for consumer goods or services, or obtaining information that will or may be used for the direct solicitation of a sale of consumer goods or services or an extension of credit for such purposes.”</p> <p>Prior express written consent: “A written agreement that:</p> <ul style="list-style-type: none">• Bears the signature of the called party;• Clearly authorizes the person making or allowing the placement of a telephonic sales call by telephone call, text message, or voicemail transmission to deliver or cause to be delivered to the called party a telephonic sales call using an automated system for the selection or dialing of telephone numbers, the playing of a recorded message when a connection is completed to a number called, or the transmission of a prerecorded voicemail;• Includes the telephone number to which the signatory authorizes a telephonic sales call to be delivered; and• Includes a clear and conspicuous disclosure to the consumer” <p>The statute does not define what constitutes an “automated system” and could be interpreted broader than the federal TCPA.</p> <p>Relevant Exemptions: N/A</p> <p>Relevant Restrictions</p> <p>A person may not make or knowingly allow a telephonic sales call to be made if such call involves an automated system for the selection or dialing of telephone numbers or the playing of a recorded message when a connection is completed to a number called without the prior express written consent of the called party.</p> <p>Violations may be enforced by a private right of action.</p> <p>Any call to a Florida area code is presumed to call a person in the state.</p>
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State/Statute	Provisions
Florida Fla. Stat. §§ 501.601-501.626	<p>Applicability/Definitions</p> <p>Commercial telephone solicitation: "An unsolicited telephone call to a person initiated by a commercial telephone seller or salesperson, or an automated dialing machine used in accordance with the provisions of s. 501.059(8) for the purpose of inducing the person to purchase or invest in consumer goods or services."</p> <p>Commercial telephone seller: "A person who engages in commercial telephone solicitations."</p> <p>Relevant Exemptions</p> <p>Supervised financial institutions, which includes a commercial bank, trust company, savings and loan association, mutual savings bank, credit union, industrial loan company, consumer finance lender, commercial finance lender, or insurer, provided that the institution is supervised by a state agency.</p> <p>Relevant Restrictions</p> <p>Commercial telephone sellers must have a license.</p> <p>Sellers can only contact a consumer between 8:00 a.m. and 8:00 p.m. in the recipient's time zone.</p> <p>Sellers cannot contact someone more than three times in a 24-hour period.</p> <p>Sellers cannot use technology that deliberately displays a different caller identification number than the number the call is originating from to conceal the true identity of the caller.</p>
Georgia Ga. Code § 46-5-23	<p>Applicability/Definitions</p> <p>Automatic dialing and recorded message equipment: "Any device or system of devices which is used, whether alone or in conjunction with other equipment, for the purpose of automatically selecting or dialing telephone numbers and disseminating prerecorded messages to the numbers so selected or dialed."</p> <p>Relevant Exemptions</p> <p>Calls relating to debt collection.</p> <p>Relevant Restrictions</p> <p>It is unlawful to use an automatic dialing and recorded message equipment for the purpose of advertising or offering for sale, lease, rental, or as a gift any goods, services, or property without express consent and outside of 8:00 a.m. to 9:00 p.m.</p> <p>Users of such equipment must clearly state the name and telephone number of the person or organization initiative the call within the first 25 seconds and at the conclusion of the call.</p>
Hawaii	N/A

State/Statute	Provisions
<p>Idaho</p> <p>Idaho Stat. § 48-1001</p> <p>Idaho Adm. Code § 31.51.02</p>	<p>Applicability/Definitions</p> <p>Telephone solicitation: “Any unsolicited telephone call to a purchaser for the purpose of asking, inducing, inviting, requesting, or encouraging the purchaser to purchase or invest in goods or services during the course of a telephone call.”</p> <p>Automatic dialing-announcing device: “A device that selects and dials telephone numbers and that, working alone or in conjunction with other equipment, disseminates a prerecorded or synthesized voice message to the telephone number called.” (statute)</p> <p>“devices programmed automatically to dial customers and to provide an unsolicited message. Nothing in these rules applies to requested or contracted automatic announcements for return calls, notification-of-termination-of-service warnings from telephone companies, or security, paging or alarm systems subscribed to by a customer.” (Admin. Code)</p> <p>Relevant Exemptions</p> <p>Any person whose business is licensed by any federal or state agency, except the Secretary of State. Consumer credit and mortgage companies are licensed by the Idaho Department of Finance so are exempt.</p> <p>Relevant Restrictions</p> <p>ADADs are prohibited from making unsolicited calls before 9:00 a.m. and after 9:00 p.m. in the called party's local time.</p> <p>Telephone solicitors must register with the attorney general at least ten days prior to conducting business.</p> <p>A telephone solicitor may not call someone on the state or federal do-not-call list, intimidate a consumer, refuse to hang up, or falsely represent the nature of the call.</p> <p>Telephone solicitors using an automatic dialing-announcing device must state the name of the person for whom the message is being made, the purpose of the message, and the contact information of the caller.</p>
<p>Illinois</p> <p>815 ILCS § 305/1</p>	<p>Applicability/Definitions</p> <p>Autodialer: “Any telephone dialing or accessing device, machine, computer or system capable of storing telephone numbers which is programmed to sequentially or randomly access the stored telephone numbers in order to automatically connect a telephone with a recorded message.”</p> <p>Relevant Exemptions</p> <p>Calls made in response to a consumer's express request or made to a person with whom the solicitor has a prior or existing business relationship.</p> <p>Relevant Restrictions</p> <p>No person may use an autodialer between 9:00 p.m. to 9:00 a.m.</p> <p>Autodialers must be configured to disconnect within 30 seconds of terminating a call.</p>

State/Statute	Provisions
Indiana Ind. Code § 24-5-14	<p>Applicability/Definitions</p> <p>Automatic dialing-announcing device: “A device that selects and dials telephone numbers; and working alone or in conjunction with other equipment, disseminates a prerecorded or synthesized voice message to the telephone number called.”</p> <p>Relevant Exemptions</p> <p>Calls to someone with whom the caller has a current business relationship.</p> <p>Relevant Restrictions</p> <p>A caller may not use an automatic dialing-announcing device unless the receiving party requests it or the message is immediately preceded by a live operator who obtains the subscriber's consent before the message is delivered.</p>
Iowa Iowa Code § 476.57	<p>Applicability/Definitions</p> <p>Automatic dialing-announcing device (ADAD) equipment: “A device or system of devices used, either alone or in conjunction with other equipment, for the purpose of automatically selecting or dialing telephone numbers without the use of a live operator to disseminate prerecorded messages to the numbers selected or dialed.”</p> <p>Relevant Exemptions</p> <p>The following are exempt from the prohibition of ADAD equipment:</p> <ul style="list-style-type: none"> • Calls relating to payment of previously ordered or purchases goods or services. • Calls to someone with a prior business relationship • Calls made related to debt collection. <p>Relevant Restrictions</p> <p>No one may use ADAD equipment unless otherwise specified.</p> <p>Parties that are allowed to use ADAD equipment must terminate a call within 10 seconds if the called party asks to disconnect.</p>

State/Statute

Provisions

Kansas

[Kan. Stat. § 50-670](#)

Applicability/Definitions

Telephone solicitor: “Any natural person, firm, organization, partnership, association or corporation who makes or causes to be made a consumer telephone call, including, but not limited to, calls made by use of automatic dialing-announcing device.”

Automatic dialing-announcing device: “Terminal equipment which can dial telephone numbers which have been stored or programmed in the device or are produced or selected by a random or sequential number generator or disseminate a recorded message to the telephone number called.”

Relevant Exemptions

Calls made in response to a consumer’s express request or written agreement, in connection with an existing debt or contract, or to a consumer with whom the caller has a prior relationship.

Relevant Restrictions

Telephone solicitors must:

- Identify themselves, the business they represent, and the purpose of the call when making an unsolicited telephone call.
- End the call if the consumer gives a negative response at any time during the call.
- Hang up the phone or disconnect the dialing-announcing device within 25 seconds of the consumer terminating the call.

Live operators of an automated dialing-announcing device must answer the line within five seconds of beginning the call.

Solicitors may not withhold the display of the telephone solicitor’s telephone number from a caller identification service when that number is being used for telemarketing purposes.

State/Statute

Provisions

Kentucky

[Ky. Rev Stat §§ 367.461 et seq.](#)

Applicability/Definitions

Automated calling equipment: “Any device or combination of devices which is used to select or dial telephone numbers and to deliver recorded messages to the numbers so selected or dialed.”

Relevant Exemptions

The statute states that “nothing in this section prohibits the use of automated calling equipment to make calls with recorded messages or an artificial voice” for certain calls, including calls:

- That are made in response to a consumer request.
- Relate to the collection of lawful debts.
- Are made to someone with whom the caller has an existing business relationship.

Relevant Restrictions

No person shall use automated calling equipment without a consumer’s written consent without stating the name and telephone number of the caller, without terminating the call within ten seconds of the consumer hanging up, call random or sequential telephone numbers, or call outside the times of 8:00 a.m. to 9:00 p.m. (note: this time period is different than the time allowed for a general telephone solicitation).

Users of automated calling equipment must receive a permit from the Attorney General, unless they are one of the exempt parties.

State/Statute

Provisions

Louisiana

[La. Rev. Stat. §§ 45:810 et seq.](#)

Applicability/Definitions

ADAD equipment: "Any device or system of devices which is used, whether alone or in conjunction with other equipment, for the purpose of automatically selecting or dialing telephone numbers and disseminating recorded messages to the numbers so selected or dialed.

Relevant Exemptions

Calls made at the request of a consumer.

Calls related to debt collection.

Calls to a person with whom the caller has a pre-existing business relationship.

Relevant Restrictions

It shall be unlawful for any person to use, to employ or direct another person to use, or to contract for the use of ADAD equipment or to use a live operator to make calls for the purpose of advertising or offering for sale, lease, rental, or as a gift any goods, services, or property, either real or personal, primarily for personal, family, or household use or for the purpose of conducting polls or soliciting information if:

- Consent is not received prior to the invitation of the call.
- The call is made outside of 8:00 a.m. to 8:00 p.m. Monday through Saturday.
- The call is made on a state holiday or a Sunday.
- The ADAD equipment will operate unattended.
- The equipment uses random or sequential dialing.
- The automatic dialing and recorded message player does not automatically terminate its connection with any telephone call within ten seconds after the person called fails to give consent for the playing of a recorded message or hangs up.
- The recorded message fails to state clearly the name and telephone number of the person or organization initiating the call within the first twenty-five seconds of the call and at the conclusion of the call.
- The device calls phone numbers that have been omitted from the telephone directory or numbers that belong to hospitals, nursing homes fire departments, or law enforcement.

Companies that use ADAD equipment must register with the Louisiana Public Service Commission.

State/Statute	Provisions
<p>Maine</p> <p>10 MRS § 1498</p>	<p>Applicability/Definitions</p> <p>Automated telephone calling device: “Any system or equipment, including a facsimile machine, that selects, dials or calls telephone numbers and plays recorded messages or attempts to send facsimiles.”</p> <p>Solicitation calls: “Calls, including facsimile transmissions, the purpose of which is any of the following: (1) To offer real property, goods or services for sale or rent; (2) To convey information on real property, goods or services to solicit sales or purchases; (3) To promote or solicit charitable contributions; or (4) To gather data or statistics or solicit information.”</p> <p>Relevant Exemptions</p> <p>Calls made in response to an inquiry initiated by the consumer.</p> <p>Calls made with the prior written, express consent of the consumer.</p> <p>Relevant Restrictions</p> <p>No person may use an automated telephone calling device or an artificial or prerecorded voice to make solicitation calls to a cell phone number, an unlisted phone number, or a residential telephone number.</p> <p>A caller may only use an automated telephone calling device to make solicitation calls to any telephone number in Maine on weekdays between 9 a.m. and 5 p.m. Maine time.</p> <p>No person may complete more than one solicitation call during each 8-hour period.</p> <p>The caller must ensure that an automated telephone calling device disconnects within five seconds following the disconnection of the receiving party.</p>
<p>Maryland</p> <p>Md. Pub. Util. Code § 8-204</p>	<p>Applicability/Definitions</p> <p>Does not provide a definition of an automated dialing, push-button, or tone-activated address signaling system.</p> <p>Does not provide applicability, only exemptions.</p> <p>Relevant Exemptions</p> <p>Calls made to a consumer with a pre-existing relationship with the caller or who has given consent to receive a call.</p> <p>Relevant Restrictions</p> <p>A person may not use an automated dialing, push-button, or tone-activated address signaling system with a prerecorded message to solicit goods or services, offer a gift or prize, conduct a poll, or request survey information that will be used for soliciting goods or services.</p> <p>The sender of an automated dialing, push-button, or tone-activated address signaling call must disconnect the prerecorded message machine from the recipient’s telephone line within 5 seconds after the call is terminated.</p>

State/Statute	Provisions
Massachusetts Mass. Gen. Laws Ch. 159 §§ 19B et seq.	<p>Applicability/Definitions</p> <p>Automatic telephone dialing system: “Any automatic terminal equipment which is capable of storing numbers to be called or producing numbers to be called, using a random or sequential number generator, and with the ability to call such numbers, and which is capable of delivering a prerecorded message to the number called with or without manual assistance.”</p> <p>Relevant Exemptions: N/A</p> <p>Relevant Restrictions</p> <p>Consumers may opt out to receiving phone calls from an automatic telephone dialing system.</p> <p>Automatic telephone dialing systems must be designed to prevent the selection or dialing of any numbers from consumers who opt-out and must disconnect the signal within five seconds after the consumer hangs up.</p>

State/Statute

Provisions

Michigan

[MCL §§ 445.111 et seq.](#)

Applicability/Definitions

ADAD or automatic dialing and announcing device: "Any device or system of devices that is used, whether alone or in conjunction with other equipment, for the purpose of automatically selecting or dialing telephone numbers."

Telephone solicitation "Any voice communication over a telephone for the purpose of encouraging the recipient of the call to purchase, rent, or invest in goods or services during that telephone call. Telephone solicitation does not include any of the following:

- A voice communication to a residential telephone subscriber with that subscriber's express invitation or permission prior to the voice communication.
- A voice communication to an existing customer of the person on whose behalf the voice communication is made, unless the existing customer is a consumer who has requested that he or she not receive calls from or on behalf of that person
- A voice communication to a residential telephone subscriber in which the caller requests a face-to-face meeting with the residential telephone subscriber to discuss a purchase, sale, or rental of, or investment in, goods or services but does not urge the residential telephone subscriber to make a decision to purchase, sell, rent, invest, or make a deposit on that good or service during the voice communication."

Telephone solicitor: "Any person doing business in this state who makes or causes to be made a telephone solicitation from within or outside of this state, including, but not limited to, calls made by use of automated dialing and announcing devices or by a live person."

Relevant Exemptions

Solicitations or other business related to extensions of credit by mortgage lenders, consumer financial service companies, or motor vehicle sales finance companies.

Relevant Restrictions

A home solicitation sale shall not be made by telephonic solicitation using in whole or in part a recorded message.

A person shall not make a telephone solicitation that consists in whole or in part of a recorded message.

A person may not call a number listed on a state or federal do-not-call list.

Telephone solicitors must make certain disclosures at the beginning of a solicitation call.

State/Statute

Provisions

Minnesota

[Minn. Stat. §§
325E.26 et seq.](#)

Applicability/Definitions

Automatic dialing-announcing device: "A device that selects and dials telephone numbers and that, working alone or in conjunction with other equipment, disseminates a prerecorded or synthesized voice message to the telephone number called."

Relevant Exemptions

Messages made to a person with whom the caller has a current business or personal relationship.

Relevant Restrictions

A caller shall not use or connect to a telephone line an automatic dialing-announcing device unless the subscriber has knowingly or voluntarily requested, consented to, permitted, or authorized receipt of the message or the message is immediately preceded by a live operator who obtains the subscriber's consent before the message is delivered.

A caller shall not use an automatic dialing-announcing device unless the device is designed and operated so as to disconnect within ten seconds after termination of the telephone call by the subscriber.

Where the message is immediately preceded by a live operator, the operator must, at the outset of the message, disclose the name of the entity for which the message is being made, the purpose of the message, the goods or services the message is promoting, and the fact that the message intends to solicit payment or funds (if applicable).

A caller shall not use an automatic dialing-announcing device nor make any commercial telephone solicitation before 9:00 a.m. or after 9:00 p.m.

There is a private right of action and a person may recover damages, including costs of investigation and attorneys' fees.

State/Statute

Provisions

Mississippi

[Miss. Code §§ 77-3-451 et seq.](#)

Applicability/Definitions

Automatic dialing-announcing device: “Any automatic equipment which incorporates a storage capability of telephone numbers to be called or a random or sequential number generator capable of producing numbers to be called and the capability, working alone or in conjunction with other equipment, to disseminate a prerecorded message to the telephone number called.”

Relevant Exemptions

Calls made to a customer or other person that has an established relationship with the caller.

Calls made at the request of the recipient.

Relevant Restrictions

No person shall operate an automatic dialing-announcing device to place a call to a telephone in Mississippi between 9 p.m. and 9 a.m. central time.

No person shall operate an automatic dialing-announcing device to place a call to a telephone in Mississippi for the purpose of persuading, inducing or encouraging the person called to purchase any type of product or service.

Automatic dialing-announcing devices may be used to place calls over telephone lines only pursuant to a prior agreement between the persons involved, by which the person called has agreed that he or she consents to receive such calls from the person calling.

The device operator must state the nature of the call and the name and contact information of the business or organization being represented, inquire whether the person called consents to hear the prerecorded message of the person calling, and disconnect the automatic dialing-announcing device from the telephone line upon the termination of the call by either the person calling or the person called.

A caller must make a written application to the “telephone corporation within whose service area telephone calls through the use of such device are proposed to be placed” before using an automatic dialing-announcing device.

State/Statute	Provisions
<p>Mississippi</p> <p>Miss. Code §§ 77-3-701 et seq.</p>	<p>Applicability/Definitions</p> <p>Telephone solicitation: “Any voice or text message communication over the telephone line or cellular network of a consumer for the purpose of:</p> <ul style="list-style-type: none"> • Encouraging the purchase or rental of, or investment in, property; • Soliciting a sale of any consumer goods or services, or an extension of credit for consumer goods or services; • Soliciting any other item of value, pecuniary or otherwise, regardless of whether a sales presentation is made; or • Soliciting a charitable contribution of money or property.” <p>Relevant Exemptions</p> <p>Calls made on behalf of a supervised financial institutions, which includes consumer finance lenders and small loan companies. Any telephone solicitor who solicits a consumer with whom he has an established business relationship.</p> <p>Relevant Restrictions</p> <p>Callers may not use an automated dialing system or any like system that uses a recorded voice message to communicate with the consumer unless the person or entity has an established business relationship with the consumer and uses the recorded voice message to inform the consumer about a new product or service.</p>
<p>Missouri</p>	<p>N/A</p>
<p>Montana</p> <p>Mont. Code § 45-8-216</p>	<p>Applicability/Definitions</p> <p>N/A</p> <p>Relevant Exemptions</p> <p>The following calls are exempt from provisions governing the use of an automated telephone system or device:</p> <ul style="list-style-type: none"> • Responding to an inquiry initiated by a person. • Providing any other pertinent information when there is a preexisting business relationship. • If the permission of the called party is obtained by a live operator before the recorded message is delivered. <p>Relevant Restrictions</p> <p>A person may not use an automated telephone system, device, or facsimile machine for the selection and dialing of telephone numbers and playing of recorded messages if a message is completed to the dialed number to offer goods or services for sale, convey information on goods or services for soliciting a sale, solicit information, gather data or statistics, or promote a political campaign.</p>

State/Statute

Provisions

Nebraska

[Neb. Stat. §§ 86-236 et seq.](#)

Applicability/Definitions

Automatic dialing-announcing device: "A device which selects and dials telephone numbers and automatically plays a recorded message."

Established business relationship: "A prior or existing relationship formed by a voluntary two-way communication between a person and a residential or business telephone subscriber...which relationship has not been previously terminated by either party."

Telephone solicitation: "A telephone call or message using an automatic dialing-announcing device for the purpose of encouraging the purchase or rental of, or investment in, property, goods, or services, which call or message is transmitted to any person."

Unsolicited advertisement: "Any material advertising the commercial availability or quality of any property, goods, or services which is transmitted to any person without that person's prior express invitation or permission."

Relevant Exemptions

Calls made with the consumer's express invitation or permission

Calls to a consumer with whom the caller has an established business relationship.

Calls that do not include the transmission of an unsolicited advertisement

Calls placed by a live operator and a prerecorded message is not utilized.

Relevant Restrictions

A person using an automatic dialing-announcing device must register the device with the Public Service Commission.

A person may not initiate a telephone solicitation, other than a call made for emergency purposes, using an automatic dialing-announcing device to a phone number assigned to a cellular telephone service, a number to any service for which the person called is charged for the call.

Callers may not use an automatic dialing-announcing device in such a way that two or more telephone lines of a business with a multiline telephone system are engaged simultaneously.

Callers using an automatic dialing-announcing device must identify the name of the person making the call at the beginning of the call, and the phone number of the caller during or after the message.

Callers may not call a residential phone number outside of 8 a.m. to 9 p.m. at the consumer's local time.

Callers must maintain a written policy outlining their no-call practices and maintain a do-not-call list.

Callers must release the consumer's phone line within five seconds of the consumer hanging up.

Callers may not use an automatic dialing-announcing device to dial telephone numbers sequentially or in a predictable pattern.

State/Statute

Provisions

Nevada

[Nev. Stat. §§ 597.812 et seq.](#)

Applicability/Definitions

Device for automatic dialing and announcing: “Any equipment that: incorporates a storage capability of telephone numbers to be called and utilizes a random or sequential number generator producing telephone numbers to be called; and is used exclusively, working alone or in conjunction with other equipment, to disseminate a prerecorded message to the telephone number called to solicit a person at the telephone number called to purchase goods or services.”

Relevant Exemptions

Calls to a person with whom the caller has a preexisting business relationship.

Relevant Restrictions

A person shall not use a device for automatic dialing and announcing to disseminate a prerecorded message in a telephone call unless, before the message is disseminated, a recorded or unrecorded natural voice:

- Informs the person who answers the telephone call of the nature of the call, including, without limitation, the fact that a device for automatic dialing and announcing will be used to disseminate the message if the person who answers the call remains on the line; and
- Provides to the person who answers the telephone call the name, address and telephone number of the business or organization, if any, being represented by the caller.

A person shall not operate a device for automatic dialing and announcing to place:

- A call that is received by a telephone located in Nevada between 8 p.m. and 9 a.m.; or
- A call-back or second call to the same telephone number if a person at the telephone number terminated the original call.

State/Statute	Provisions
<p>New Hampshire N.H. Stat. §§ 359-E:1 et seq.</p>	<p>Applicability/Definitions</p> <p>Automatic telephone dialing system: “Any automatic terminal equipment which stores or produces numbers to be called randomly or sequentially and which delivers a prerecorded message to the number called without assistance of a live operator.”</p> <p>Solicitation: “The unrequested initiation of a telephone call to a residential telephone subscriber for the purposes of giving, selling, or leasing services or goods... where there is no pre-existing relationship between the caller and the person called; or to obtain information, data or opinions.”</p> <p>Relevant Exemptions</p> <p>Calls made to a person with whom the caller has a pre-existing relationship.</p> <p>Relevant Restrictions</p> <p>Any person using an automatic telephone dialing system must register with the Department of Justice.</p> <p>Automatic telephone dialing systems must automatically disconnect or release within 30 seconds after the called party hangs up.</p> <p>Immediately after telephone contact the caller must immediately disclose the name of the person, company or organization making the call and the purpose of the call.</p> <p>Callers may not use any method that would prevent caller identification information from being received by the consumer.</p> <p>Callers may not call numbers listed in the state and federal do-not-call list.</p> <p>Violations are an unfair or deceptive act or practice.</p>
<p>New Jersey N.J. Stat. §§ 48:17-28 – 17-31</p>	<p>Applicability/Definitions: N/A</p> <p>Relevant Exemptions</p> <p>Calls related to the collection of lawful debts.</p> <p>Relevant Restrictions</p> <p>A caller may not use a telephone or telephone line to contact a telephone service subscriber to deliver a recorded message other than for emergency purposes, unless the recorded message is introduced by an operator who shall obtain the subscriber's consent before playing the recorded message, or unless a prior or current relationship exists between the caller and the subscriber.</p> <p>The prohibitions include using an automated dialing, push button, or tone activated devices which operate sequentially or are otherwise unable to avoid contacting subscribers who have not consented to the playing of the recorded message</p>

State/Statute

Provisions

New Mexico

[N.M. Stat. § 57-12-22](#)

Applicability/Definitions

Established business relationship: A relationship formed prior to a solicitation through a voluntary two-way communication and currently exists or has existed within the immediately preceding twelve months.

Telephone solicitation: “A voice or telefacsimile communication over a telephone line for the purpose of encouraging the purchase or rental of or investment in property, goods or services.”

Relevant Exemptions

Calls made with the consumer’s prior express invitation or permission.

Calls made to a consumer with whom the caller has an established business relationship.

Relevant Restrictions

A person shall not utilize an “automated telephone dialing or push-button or tone-activated address signaling system” (not defined) with a prerecorded message to solicit persons to purchase goods or services unless there is an established business relationship and the person being called consents to hear the prerecorded message.

A person making a telephone solicitation must disclose his or her name and the purpose of the call within 15 seconds of the call being answered.

Telephone solicitation calls may not be made outside of 9:00 a.m. to 9:00 p.m.

Callers using automatic dialing equipment must release the call immediately when the called party disconnects.

Callers may not call an individual on the national do-not-call registry.

State/Statute

Provisions

New York

[N.Y. Gen. Bus. Stat. § 399-P](#)

Applicability/Definitions

Automatic dialing-announcing device: “Any automatic equipment which incorporates a storage capability of telephone numbers to be called and is used, working alone or in conjunction with other equipment, to disseminate a prerecorded message to the telephone number called without the use of an operator.”

Consumer telephone call: “A call made to a telephone number by a telephone solicitor, whether by device, live operator, or any combination thereof, for the purpose of soliciting a sale of any consumer goods or services for personal, family or household purposes to the consumer called, or for the purpose of soliciting an extension of credit for consumer goods or services to the consumer called, or for the purpose of obtaining information that will or may be used for the direct solicitation of a sale of consumer goods or services to the consumer called or an extension of credit...”

Relevant Exemptions: N/A

Relevant Restrictions

When calls (note the statute does not specify if this provision only applies to a “consumer telephone call”) are placed with an automatic dialing-announcing device, the device must state the nature of the call and the name of the person on behalf the message is being transmitted at the beginning of the call, the address of the person on whose behalf the call is being made at the end of the message, and the phone number of the person on whose behalf the call is being made. The device must also disconnect from the telephone line upon the termination of the call by either the person calling or the person called.

No person shall operate an automatic dialing-announcing device which uses a random or sequential number generator to produce a number to be called.

No telephone solicitor or person who places any consumer telephone call or who operates an automatic dialing-announcing device shall intentionally cause to be installed, or shall intentionally utilize, any blocking device or service to prevent the name and/or telephone number of such solicitor or person, or the name and/or telephone number of his or her employer, from being displayed on a caller identification device.

State/Statute

Provisions

North Carolina

[N.C. Stat. §§ 75-100 et seq.](#)

Applicability/Definitions

Automatic dialing and recorded message player: "Any automatic equipment that incorporates a storage capability of telephone numbers to be called or a random or a sequential number generator capable of producing numbers to be called that, working alone or in conjunction with other equipment."

Unsolicited telephone call: "A voice or text communication, whether prerecorded, live, or a facsimile, over a telephone line or wireless telephone network or via a commercial mobile radio service that is made by a person to a telephone subscriber without prior express invitation or permission."

Relevant Exemptions: N/A

Relevant Restrictions

A person may only use an automatic dialing and recorded message player to make an unsolicited sales call under one of the following circumstances:

- A live operator states the nature and length in minutes of the recorded message, and asks for and receives prior approval to play the recorded message from the person receiving the call
- The call is made in connection with an existing debt or contract and no part of the call is used to make a telephone solicitation.
- The recorded message is played in compliance with the Federal Telemarketing Sales Rule.

<p>North Dakota</p> <p>N.D. Stat. §§ 52-28-01 et seq.</p>	<p>Applicability/Definitions</p> <p>Automatic dialing-announcing device: “A device that selects and dials telephone numbers and that, working alone or in conjunction with other equipment, disseminates a prerecorded or synthesized voice message to the telephone number called.”</p> <p>Established business relationship: “A relationship between a seller and consumer based on a free trial newspaper subscription or on the consumer’s purchase, rental, or lease of the seller’s goods or services or a financial transaction between the consumer and seller, within the twenty-four months immediately preceding the date of a telemarketing call.</p> <p>Telephone solicitation: “Any voice, text, or other electronic communication over a telephone line for the purpose of encouraging charitable contributions, or the purchase or rental of, or investment in, property, goods, services, or merchandise... whether the communication is made by a live operator, through the use of an automatic dialing-announcing device, or by other means.</p> <p>Telephone solicitation does not include communications: a. To any subscriber with that subscriber’s prior express written request, consent, invitation, or permission. b. By or on behalf of any person with whom the subscriber has an established personal or business relationship...”</p> <p>Relevant Exemptions: N/A</p> <p>Relevant Restrictions</p> <p>A caller may not use or connect to a telephone line an automatic dialing-announcing device or deliver a prerecorded or synthesized voice message to a subscriber unless the subscriber has knowingly requested, consented to, permitted, or authorized receipt of the message or the message is immediately preceded by a live operator who obtains the subscriber’s consent before the message is delivered.</p> <p>A caller may not use an automatic dialing-announcing device unless the device is designed and operated to disconnect within 10 seconds after termination of the call.</p> <p>A caller may not use an automatic dialing-announcing device that generates random or sequential numbers unless the device excludes calls to emergency numbers; numbers to certain healthcare facilities; paging, cellular, specialized mobile radio, or any other service for which the called party is charged for the call; and numbers on the state do-not-call list.</p> <p>A caller may not use an automatic dialing-announcing device nor make any telephone solicitation outside of 8 a.m. to 9 p.m. at the telephone subscriber’s location.</p> <p>At the beginning of the call, a caller making a telephone solicitation must immediately and clearly state the caller’s first and last name, telephone number, city and state of location, and name of the company on whose behalf the caller is making the solicitation.</p> <p>A caller making a telephone solicitation may not knowingly use any method to block or deliberately circumvent a caller identification service.</p> <p>Violations are enforceable by a private right of action.</p>
<p>Ohio</p>	<p>N/A</p>

State/Statute

Provisions

Oklahoma

[Okla. Stat. §§ 15-755.1 et seq.](#)

Applicability/Definitions: N/A

Relevant Exemptions: N/A

Relevant Restrictions

A person may use an “automatic dial announcing device” (not defined) only when:

- The device disconnects from the called person's line not later than 20 seconds after the called person hangs up;
- The device only makes call terminating in the state between 9 a.m. and 9 p.m. or times allowed under the federal Fair Debt Collection Practices Act
- The call is made by a creditor, the call is in response to a consumer-initiated call or written request, the call concerns goods or services that have been previously ordered or purchased, or is initiated by a live operator who gives the caller the option to disconnect prior to playing a prerecorded or synthesized voice message.
- The device does not dial numbers randomly or sequentially.

State/Statute

Provisions

Oregon

[Ore. Rev. Stat. §§ 646A.370 et seq.](#)

Applicability/Definitions

Automatic dialing and announcing device: "An automated device that selects and dials telephone numbers and that, working alone or in conjunction with another device, disseminates a prerecorded or synthesized voice message to the telephone number that the device calls."

Established business relationship: "A previous transaction or series of transactions between a caller and a subscriber that occurred within the 18 months preceding a call."

Relevant Exemptions: N/A

Relevant Restrictions

A caller may not use an automatic dialing and announcing device unless:

- The device is designed and operated so as to disconnect within 10 seconds after the subscriber terminates the call.
- The device provides a single dual-tone multifrequency signal or otherwise enter or speak a one-digit code to notify the caller that the subscriber does not want to receive any future calls from the caller within the first 10 seconds of the call. This provision does not apply to a collection agency, debt buyer, or debt collector or a caller who has an established business relationship with the consumer.

A caller may not use an automatic dialing and announcing device that dials telephone numbers randomly or sequentially unless the range of telephone numbers from which the device chooses the number to dial does not include numbers on a government do-not-call list. This provision does not apply to a debt buyer or a caller who has an established business relationship with the consumer.

A caller using an automatic dialing and announcing device may only call a consumer between 9 a.m. to 9 p.m.

A caller may not misrepresent or falsify his or her identity, phone number, the identity of the business on whose behalf the call is being made, the location from which the call is being made, and the purpose of the call.

A caller may not intentionally alter, misrepresent or falsify caller identification information.

Violations are an unlawful trade practice

State/Statute

Provisions

Pennsylvania

[52 Pa. Admin. Code § 63.60](#)

Applicability/Definitions: N/A

Relevant Exemptions: N/A

Relevant Restrictions

A public utility may not knowingly permit an automatic dialing announcing device (ADAD) to be connected or operated over its network unless one of the following applies:

- A prior written agreement exists between the called and calling parties.
- The ADAD is used in accordance with the following standards:
 - Within 10 seconds after the called-party terminates the call, the ADAD automatically shall create a disconnect signal or an on-hook condition allowing the called-party's line to be released. The ADAD shall terminate calls completed and a disconnect or an on-hook condition shall be created within 15 seconds of termination.
 - The recorded message shall begin with, or be preceded by, a statement announcing the name, address and call-back telephone number of the calling party, the nature and purpose of the ensuing message, and the fact the message is a recording.
 - No calls are permitted to be made to emergency telephone numbers of hospitals, fire departments, law enforcement offices or other entities providing emergency services.
 - No calls may be made on a Sunday before 1:30 p.m. or after 9 p.m. or before 9 a.m. or after 9 p.m. during the remainder of the week. Note: calling time restrictions don't apply when there is a "prior written agreement" between the parties.

State/Statute	Provisions
<p>Rhode Island</p> <p>61 R.I. Gen. Laws. §§ 5-61-1 et seq.</p>	<p>Applicability/Definitions</p> <p>Telephonic seller: “A person who, on his or her own behalf or through salespersons or through the use of an automatic-dialing-announcing device, causes a telephone solicitation, or attempted telephone solicitation.”</p> <p>Relevant Exemptions</p> <p>Supervised financial institutions or parent, subsidiary, or affiliate (includes banks and consumer finance lenders, among others) are exempt from the definition of telephone seller.</p> <p>Relevant Restrictions</p> <p>Telephonic sellers must register with the attorney general.</p> <p>Sellers must disclose the name and purpose of the call within the first 30 seconds of the call.</p> <p>Sellers are prohibited from using an automatic dialing-announcing device unless: (1) the subscriber has knowingly or voluntarily requested, consented to, permitted, or authorized receipt of the message; or (2) the message is immediately preceded by a live operator who obtains the subscriber’s consent before the message is delivered.</p> <p>A purchaser has a private right of action against a telephonic seller in violation of the law and may recover triple the amount actually paid to the seller. The purchaser may also recover reasonable attorneys’ fees.</p>
<p>South Carolina</p> <p>S.C. Code § 16-17-446</p>	<p>Applicability/Definitions</p> <p>Automatically dialed announcing device (ADAD): “An automatically dialed announcing device which delivers a recorded message without assistance by a live operator for the purpose of making an unsolicited consumer telephone call as defined in Section 16-17-445(A)(3).”</p> <p>Note: The provision defining “unsolicited consumer telephone call” was deleted in 2018 in a bill that established the South Carolina Telephone Privacy Protection Act, S.C. Code § 37-21-10 et seq. The new law does not have specific provisions governing ADADs, but has exemptions for creditors who are not marketing to customers. The new law also allows telephone solicitations from 8 a.m. – 9 p.m., which is broader than the ADAD statute.</p> <p>Relevant Exemptions: N/A</p> <p>Relevant Restrictions</p> <p>Calls used with an ADAD are prohibited unless they are made in response to a person’s express request, are connected with an existing debt or contract, or are made to a person with whom the caller has an existing or previous business relationship.</p> <p>In instances where ADAD calls are allowed, the caller must disconnect immediately when the called party hangs up and may only make a call between 8 a.m. and 7 p.m.</p>

State/Statute	Provisions
<p>South Dakota</p> <p>S.D. Cod. Law §§ 37-30-23 et seq.</p>	<p>Applicability/Definitions</p> <p>Automatic telephone dialing system: “Any automatic terminal equipment which stores or produces numbers to be called randomly or sequentially and which delivers a prerecorded message to the number called without assistance of a live operator.”</p> <p>Telephone solicitation: “The unsolicited initiation of a telephone call to a residential telephone customer for the purpose of encouraging a person to purchase property, goods, or services.”</p> <p>Relevant Exemptions</p> <p>Calls made in response to a request or inquiry by the consumer.</p> <p>Contacts with residential customers with whom a business or credit relationship exists.</p> <p>Relevant Restrictions</p> <p>Users of automatic telephone dialing system must register with the public utilities commission.</p> <p>Callers must immediately disclose the name of the person, company, or organization making the call and the purpose of the call.</p> <p>Callers may use an automated telephone dialing system to make a telephone solicitation to a cell phone.</p> <p>Calls must be made on weekdays between 9 a.m. and 9 p.m. in the state’s local time.</p>
<p>Tennessee</p> <p>Tenn. Regulatory Authority Rules §§ 1220-04-11-.01 et seq.</p>	<p>Applicability/Definitions</p> <p>ADAD or automatic dialing and announcing device: “Any device or system of devices which is used, whether alone or in conjunction with other equipment, for the purpose of automatically selecting or dialing telephone numbers and disseminating recorded messages to the numbers so selected or dialed.”</p> <p>Relevant Exemptions: N/A</p> <p>Relevant Restrictions</p> <p>Messages left using an ADAD must clearly state the name and phone number of the person or organization initiating the call.</p>

State/Statute

Provisions

Texas

[Tex. Bus. & Comm. Code §§ 301.001 et seq.](#)

Applicability/Definitions

Automated dial announcing device: “Automated equipment used for telephone solicitation or collection that can:

- Store telephone numbers to be called or produce numbers to be called through use of a random or sequential number generator; and
- Convey, alone or in conjunction with other equipment, a prerecorded or synthesized voice message to the number called without the use of a live operator.”

Consumer telephone call: “An unsolicited call made to a residential telephone number by a telephone solicitor to:

- Solicit a sale of a consumer good or service;
- Solicit an extension of credit for a consumer good or service; or
- Obtain information that will or may be used to directly solicit a sale of a consumer good or service or to extend credit for the sale.”

Telephone solicitor: “A person who makes or causes to be made a consumer telephone call, including a call made by an automated dial announcing device.”

Relevant Exemptions

Calls made in response to the express request of the consumer, in connection with an existing debt, or to a consumer with whom the caller has a prior or existing business relationship.

Relevant Restrictions

Solicitors must disclose their identity, the business on whose behalf they are making the call, and purpose of the call immediately after making contact with a consumer.

Solicitors may not make a call outside 9 a.m. to 9 p.m. on a weekday or a Saturday or 12 p.m. to 9 p.m. on a Sunday.

Solicitors that use an automated dial announcing device must disconnect from the consumer’s telephone line within five seconds of the call being terminated.

State/Statute

Provisions

Texas

[Tex. Pub. Util. Code §§ 55.121 et seq.](#)

Applicability/Definitions

Automated dial announcing device: “Automated equipment used for telephone solicitation or collection that can:

- Store telephone numbers to be called or produce numbers to be called through use of a random or sequential number generator; and
- Convey, alone or in conjunction with other equipment, a prerecorded or synthesized voice message to the number called without the use of a live operator.”

Telephone solicitation: “An unsolicited call.”

Relevant Exemptions: N/A

Relevant Restrictions

A user of an automatic dial announcing device must receive a permit from the Public Utility Commission and follow rules issued by the commission.

A person may not use an automated dialing announcing device to call random or sequential numbers.

A person may not use an automated dialing announcing device outside 9 a.m. to 9 p.m. on a weekday or a Saturday or 12 p.m. to 9 p.m. on a Sunday, or, for collection calls, any time prohibited by the federal Fair Debt Collection Practices Act.

Calls made using an automated dialing announcing device must disconnect within five seconds after the call is terminated.

Prerecorded messages played from an automated dialing announcing device must disclose the nature of the call, name of the organization on whose behalf is being made, and telephone number of the caller within 30 seconds of the call. This is not required for collection calls or calls made using a live operator.

Utah

[Utah Code §§ 13-25a-101 et seq.](#)

Applicability/Definitions

Automated telephone dialing system: "Equipment used to:

- Store or produce telephone numbers;
- Call a stored or produced number; and
- Connect the number called with a recorded message or artificial voice."

Established business relationship: "A relationship that:

- Is based on inquiry, application, purchase, or transaction regarding products or services offered;
- Is formed by a voluntary two-way communication between a person making a telephone solicitation and a person to whom a telephone solicitation is made; and
- Has not been terminated by:
 - An act by either party; or
 - The passage of 18 months since the most recent inquiry, application, purchase, transaction, or voluntary two-way communication."

Telephone solicitation: "The initiation of a telephone call or message for a commercial purpose or to seek a financial donation, including calls:

- encouraging the purchase or rental of, or investment in, property, goods, or services, regardless of whether the transaction involves a nonprofit organization;
- Soliciting a sale of or extension of credit for property or services to the person called;
- Soliciting information that will be used for:
 - The direct solicitation of a sale of property or services to the person called; or
 - An extension of credit to the person called for a sale of property or services."

Unsolicited telephone call:

- "A telephone call for a commercial purpose or to seek a financial donation other than a call made:
- In response to an express request of the person called;
- Primarily in connection with an existing debt or contract, payment or performance of which has not been completed at the time of the call;
- To any person with whom the telephone solicitor has an established business relationship."

Relevant Exemptions N/A

Relevant Restrictions

A person may not operate or authorize the operation of an automated telephone dialing system to make a telephone solicitation absent prior express consent of the recipient or an established business relationship with the recipient.

State/Statute	Provisions
	<p>A person may not make a telephone solicitation outside of 8 a.m. to 9 p.m. local time, on a Sunday, or on a legal holiday without the consumer's prior express consent.</p> <p>Telephone solicitors making an unsolicited call must:</p> <ul style="list-style-type: none"> • Identify their name, the business on whose behalf they are making the call, and the purpose of the call • Discontinue the call if the consumer gives a negative response at any time during the call. • Hang up within 25 seconds of the call being terminated. <p>A telephone solicitor may not withhold his or her number from a caller identification service.</p> <p>A private right of action is allowed if the person has received two or more phone solicitations in violation of the act or the TCPA.</p>
Vermont	N/A
Virginia Va. Code §§ 59.1-518.1 et seq.	<p>Applicability/Definitions</p> <p>Automatic dialing-announcing device: "A device that (i) selects and dials telephone numbers and (ii) working alone or in conjunction with other equipment, disseminates a prerecorded or synthesized voice message to the telephone number called."</p> <p>Commercial telephone solicitation: "Any unsolicited call to a subscriber when (i) the person initiating the call has not had a prior business or personal relationship with the subscriber and (ii) the purpose of the call is to solicit the purchase or the consideration of the purchase of goods or services by the subscriber."</p> <p>Relevant Exemptions: N/A</p> <p>Relevant Restrictions</p> <p>A caller shall not use an automatic dialing-announcing device in connection with making a commercial telephone solicitation unless:</p> <ul style="list-style-type: none"> • The subscriber has knowingly or voluntarily requested, consented to, permitted, or authorized receipt of the message, or • The message is immediately preceded by a live operator who makes certain disclosures and obtains the consumer's consent before the commercial telephone solicitation is delivered. <p>An automatic dialing-announcing device or other device that disseminates a prerecorded or synthesized voice message to the telephone number called must disconnect within five seconds after the termination of the call.</p>

State/Statute	Provisions
<p>Washington</p> <p>Wash. Rev. Code § 80.36.400</p>	<p>Applicability/Definitions</p> <p>Automatic dialing and announcing device: “A device which automatically dials telephone numbers and plays a recorded message once a connection is made.”</p> <p>Commercial solicitation: “The unsolicited initiation of a telephone conversation for the purpose of encouraging a person to purchase property, goods, or services.”</p> <p>Relevant Exemptions: N/A</p> <p>Relevant Restrictions</p> <p>No person may use an automatic dialing and announcing device for purposes of commercial solicitation.</p>
<p>West Virginia</p> <p>W. Va. Code R. § 150-6-12</p>	<p>Applicability/Definitions</p> <p>Automatic dialing and announcing device (ADAD): “An item of telecommunications terminal equipment which has the ability to randomly, sequentially or according to a set of instructions, automatically initiate telephone calls and to, upon ascertaining that the called line has answered the call, play a prerecorded message. Telecommunications devices which, when activated by an alarm mechanism, call a predetermined telephone number to report the alarm's activation are not ADADs for purposes of this definition.”</p> <p>Relevant Exemptions: N/A</p> <p>Relevant Restrictions</p> <p>A person must register with the Public Service Commission to use an ADAD for telephone solicitation.</p> <p>ADADs may not be used between the hours of 9:00 p.m. and 9:00 a.m.</p> <p>ADADs must automatically release the called party's line within five (5) seconds of the time the ADAD receives notification that the called party has terminated the call.</p>
<p>Wisconsin</p>	<p>N/A</p>

State/Statute	Provisions
<p>Wyoming Wyo. State §§ 40-12-301 et seq.</p>	<p>Applicability/Definitions</p> <p>Telephonic sales call: “A call made by a telephone solicitor to a consumer, for the purpose of soliciting a sale of any consumer goods or services, for the purpose of soliciting an extension of credit for consumer goods or services, or for the purpose of obtaining information that will or may be used for the direct solicitation of a sale of consumer goods or services or an extension of credit for such purposes.”</p> <p>Telephone solicitor: “Any natural person, business entity or a subsidiary or affiliate thereof, doing business in this state, who makes or causes to be made a telephonic sales call, including, but not limited to, calls made by use of automated dialing devices.”</p> <p>Established business relationship: “A prior or existing relationship formed by a voluntary two-way communication between a seller or telephone solicitor and a consumer with or without an exchange of consideration, on the basis of an inquiry, application, purchase or transaction by the consumer regarding products or services offered by such seller or telephone solicitor which relationship has not been previously terminated by either party.”</p> <p>Relevant Exemptions:</p> <p>Automated dialing systems can be used if they transmit a live message if the call is in response to a request initiated by the consumer, the systems exclude numbers in the national do-not-call list and unlisted numbers, or the call is to a consumer with whom the caller has an established business relationship.</p> <p>Relevant Restrictions</p> <p>No telephone solicitor or merchant shall make or knowingly allow a telephonic sales call to be made if the call involves an automated system for the selection or dialing of telephone numbers or the playing of a recorded message when a connection is completed to a number called.</p>
<p>Wyoming Wyo. Stat. § 6-6-104</p>	<p>Applicability/Definitions: N/A</p> <p>Relevant Exemptions</p> <p>Calls made in response to an inquiry initiated by the recipient.</p> <p>Relevant Restrictions</p> <p>No person shall use “an automated telephone system or device for the selection and dialing of telephone numbers and playing of recorded messages if a message is completed to the dialed number”, for purposes of offering goods or services for sale, conveying information on goods or services to solicit a sale, solicit information, or gather data and statistics.</p>