



State of the (Telemarketing) Union: Legal Shifts, Enforcement Trends, & Tech Turbulence

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12/9/2025



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Common Trends in 2025 State Telemarketing Law Updates

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- Clarifying a text is a call
- Stricter consent requirements
- Call frequency caps
- Enhanced disclosure
- Private right of action
- Required scrubbing against reassigned numbers database
- Holiday and time calling hour restrictions
- Business-to-business calls included on DNC lists

Text Messages

- **Oregon - HB 3865 (Effective 1/1/2026)**
 - Expands the definition of “telephone solicitation” to include text messages.
- **Virginia - HB 1339 (Effective 1/1/2026)**
 - Amends telephone solicitation law to clarify that a number used to send a text must accept reply opt-out messages.

Calling Hour Restrictions

Restrict calls/texts before 8 a.m. or after 8 p.m.

- **Maryland** - HB 1228 (Effective 4/25/2024, enforced in 2025)
- **Oregon** - HB 3865 (Effective 1/1/2026)

Call Frequency Limitations

- **Florida - HB 1031 (Passed 2024, enforced in 2025)**
 - Limits telemarketing to **3 calls** per number between 8:00 AM and 8:00 PM.
- **Oklahoma - SB 1120 (Enforced in 2025)**
 - Limits telemarketing to **3 calls** per number per 24 hours on the same subject matter or issue.
- **Oregon - HB 3865 (Effective 1/1/2026)**
 - Limits solicitations to no **3 calls** per 24-hour period (unless an EBR exists).

ATDS/AI/ Prerecorded Message Calls

- **Illinois – HB 2435 (Passed House 4/9/2025)**
 - Prohibits telephone solicitations using an ATDS unless the recipient expressly consents or has an EBR.
- **New York – AB 2593 (Introduced 2025)**
 - Prohibits robocalls (including calls made using artificial or prerecorded voice or automatic dialing device) without the recipient's Prior Express Consent.
- **Oregon – HB 3865 (Effective 1/1/2026)**
 - Requires opt-out mechanisms and specific disclosures for ADAD and artificial voice calls.

Consent Revocation

- **Illinois – HB 2435 (Passed House 4/9/2025)**
 - Requires consent revocation be accepted at any time in the same manner consent was given.
 - Prohibits selling or transferring consent to another person.
 - Specifies can't stack TCPA damages

Business to Business

- **Missouri - HB 292 / SB 469 (Introduced 2025)**
 - Allows businesses to register on Missouri's No-Call list.
 - Applies certain obligations (disclosures and caller ID) to B2B calls.

Texas

- **SB 140 (effective 9/1/2025)**
 - Text/SMS/MMS are regulated similarly to "telephone calls" and "telephone solicitations" under the Texas Code.
 - Requires registration and bonding for those sending text messages, as well as mandatory disclosures and caller ID requirements (likely exemption for calls with consent).
 - Private right of action for Texas consumers.

Miscellaneous

- **Florida – HB 1031 (Passed 2024, enforced in 2025)**
 - Provides exceptions for telemarketers and sellers who provide debt relief services from specified provisions.
- **Georgia – SB 73 (Passed 2024, enforced in 2025)**
 - Establishes that certain provisions prohibiting automated calls do not apply to noncommercial telephone solicitation for public opinion research.
 - Provides a private right of action for No-Call List violations.
- **Illinois – HB 2435 (Passed House 4/9/2025)**
 - Provides statutory damages of \$500 plus costs and attorney's fees.

Miscellaneous

- **Maine – LD 2234 (Effective 8/9/2024, enforced in 2025)**
 - Requires telephone solicitors to use the Reassigned Numbers Database (RND) to verify that a consumer’s telephone number has not been reassigned prior to initiating a telephone sales call.
- **Maryland – HB 1228 (Effective 4/25/2024, enforced in 2025)**
 - Grants consumers a private right of action for violations of automated telephone systems law.
- **Oregon – HB 3865 (Effective 1/1/2026)**
 - Prohibits misrepresentation of identity or purpose in telephone solicitations.

Miscellaneous

- **New York – AB 2593 (Introduced 2025)**
 - Expands obligations for telemarketers, including internal DNC list management and enhanced disclosures.
- **West Virginia – WVCCPA Amendments (2025)**
 - Gives private right of action to consumers.
 - Each contact attempt can be counted separately.

Mini-TCPAs

Additional ATDS Rules:

- Arizona
- Florida
- Maryland
- Oklahoma

Additional ADAD Rules:

- Alabama
- California
- Georgia
- Idaho
- Indiana
- Kansas
- Louisiana
- Minnesota
- Mississippi
- Nebraska
- Nevada
- New York
- North Dakota
- Oklahoma
- Oregon
- Rhode Island
- South Carolina
- Tennessee
- Washington
- West Virginia

State EBR Exemption Chart (for DNC Laws)

States	Transactional EBR Timeline	Inquiry EBR Timeline
IN	None	None
CT, NJ, WI	Must be current customer (under current contract)	None
MI, NM, PA	12 months	None
AR, ID, KS, ND, NV, OR	18 months	None
CA, CO	18 months	30 days
LA, MS, MO, MT	6 months	3 months
TN, TX, WA	12 months	3 months
Federal, AL, AK, AZ, DE, DC, FL, GA, HI, IA, IL, KY, ME, MD, MA, MN, NE, NH, NY, NC, OH, OK, RI, SC, SD, UT, VT, VA, WV, WY	18 months	3 months

TM Frequency Limitations

State	Frequency Restrictions
Federal	N/A
Florida	No more than three (3) telemarketing calls to any consumer over a 24-hour period on the same subject matter or issue.
Maine	No more than one solicitation call using an automated telephone calling device to any telephone number during each 8-hour period
Maryland	No more than three (3) telemarketing calls to any consumer over a 24-hour period on the same subject matter or issue.
Oklahoma	No more than three (3) telemarketing calls to any consumer over a 24-hour period on the same subject matter or issue.
Oregon (effective 1/1/2026)	No more than three (3) separate solicitations to a party within a 24-hour period, unless the caller has an established business relationship with the party

State	MON-FRI	SAT	SUN	Holidays
Federal	8:00 AM - 9:00 PM	8:00 AM - 9:00 PM	8:00 AM - 9:00 PM	8:00 AM - 9:00 PM
Alabama	8:00 AM - 8:00 PM	8:00 AM - 8:00 PM	Prohibited	Prohibited
Connecticut	9:00 AM - 8:00 PM	9:00 AM - 8:00 PM	9:00 AM - 8:00 PM	9:00 AM - 8:00 PM
Florida	8:00 AM - 8:00 PM	8:00 AM - 8:00 PM	8:00 AM - 8:00 PM	8:00 AM - 8:00 PM
Illinois	8:00 AM - 9:00 PM	8:00 AM - 9:00 PM	8:00 AM - 9:00 PM	8:00 AM - 9:00 PM
Kentucky	10:00 AM - 9:00 PM	10:00 AM - 9:00 PM	10:00 AM - 9:00 PM	10:00 AM - 9:00 PM
Louisiana	8:00 AM - 8:00 PM	8:00 AM - 8:00 PM	Prohibited	Prohibited
Massachusetts	8:00 AM - 8:00 PM	8:00 AM - 8:00 PM	8:00 AM - 8:00 PM	8:00 AM - 8:00 PM
Michigan	9:00 AM - 9:00 PM	9:00 AM - 9:00 PM	9:00 AM - 9:00 PM	9:00 AM - 9:00 PM
Minnesota	9:00 AM - 9:00 PM	9:00 AM - 9:00 PM	9:00 AM - 9:00 PM	9:00 AM - 9:00 PM
Mississippi	8:00 AM - 8:00 PM	8:00 AM - 8:00 PM	Prohibited	Prohibited
Nevada	9:00 AM - 8:00 PM	9:00 AM - 8:00 PM	9:00 AM - 8:00 PM	9:00 AM - 8:00 PM
New Mexico	9:00 AM - 9:00 PM	9:00 AM - 9:00 PM	9:00 AM - 9:00 PM	9:00 AM - 9:00 PM
Oklahoma	8:00 AM - 8:00 PM	8:00 AM - 8:00 PM	8:00 AM - 8:00 PM	8:00 AM - 8:00 PM
Rhode Island	9:00 AM - 6:00 PM	10:00 AM - 5:00 PM	Prohibited	Prohibited
South Dakota	9:00 AM - 9:00 PM	9:00 AM - 9:00 PM	Prohibited	Prohibited
Texas	9:00 AM - 9:00 PM	9:00 AM - 9:00 PM	12:00 PM - 9:00 PM	9:00 AM - 9:00 PM
Utah	8:00 AM - 9:00 PM	8:00 AM - 9:00 PM	Prohibited	Prohibited
Washington	8:00 AM - 8:00 PM	8:00 AM - 8:00 PM	8:00 AM - 8:00 PM	8:00 AM - 8:00 PM
Wyoming	8:00 AM - 8:00 PM	8:00 AM - 8:00 PM	8:00 AM - 8:00 PM	8:00 AM - 8:00 PM

Restricted Calling Times

AI Disclosure Laws

- **California**

- Requires live operator introduction, which:
 - States the nature of the call and the name, address, and telephone number of the business or organization being represented, if any;
 - Inquires as to whether the person called consents to hear the prerecorded message of the person calling; and
 - Informs the person called if the prerecorded message uses an artificial voice.

- **Colorado**

- A deployer or developer of an artificial intelligence system intended for consumer interaction must disclose to each consumer that they are interacting with artificial intelligence, unless it would be obvious to a reasonable person.

AI Disclosure Laws

- **Maine**

- May not use AI/chatbot/other computer technology to engage in trade or commerce in a way that could mislead a reasonable consumer into believing they are interacting with a human.
- Can provide a clear and conspicuous disclosure that the consumer is not engaging with a human being.

- **New Jersey**

- A person may not use an online bot to communicate or interact with another person in New Jersey for advertising or selling merchandise or real estate, or for soliciting support for any candidate, party, or public question in an election, **unless the person clearly and conspicuously discloses at the start of the interaction that it is being conducted by or through a bot.**





AI Disclosure Laws

- **Utah**
 - If using generative AI and consumer asks, must disclose use of AI.
 - If regulated occupation, must:
 - prominently disclose use of generative AI if the use constitutes a high-risk AI interaction, and
 - follow all applicable requirements when providing services through AI.
 - A required disclosure must be given verbally at the beginning of a verbal interaction and in writing before a written interaction begins.



Thank you!

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