

New York bill to protect against out of state robocalls
by Steven Getman, Attorney
Wednesday, June 13, 2012
www.stevengetman.com

New York State residents may soon have new safeguards against intrusive telemarketing calls.

The New York State Senate gave final legislative passage on Wednesday (June 13) to a bill that protects New Yorkers from unwanted telemarketing practices. The bill regulates all telemarketers who do business in New York, wherever they may be located, and adds new consumer protections from telemarketers' robocalls. The legislation has also passed the state assembly.

The bill creates new regulations for out of state telemarketers who call New York residents. Previously, out of state telemarketers could continue to do business in the state and not be subject to civil and criminal penalties established for violations of the state's existing law.

The legislation would also prohibit prerecorded telemarketing calls, also known as robocalls, without the recipient's express written consent, and require that prerecorded calls provide an opt-out mechanism to allow recipients to automatically add their phone number to the telemarketer's do-not-call list and then terminate the call.

The bill will be sent to Governor Cuomo. In a written statement, Cuomo appeared to support the bill, saying that the legislation was a "big win for the people of New York State."