



CONSUMER CREDIT INDUSTRY ASSOCIATION

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Secretary Donald S. Clark  
Federal Trade Commission  
Office of the Secretary  
600 Pennsylvania Ave. N.W. Suite CC-5610 (Annex B)  
Washington, D.C. 20580  
Via online filing to <https://ftcpublic.commentworks.com/ftc/telemarketingsalesnprm>

RE: Telemarketing Sales Rule Regulatory Review  
16 CFR Part 310, Project NO R411001

Dear Secretary Clark,

The Consumer Credit Industry Association (CCIA) appreciates this opportunity to contribute to the Federal Trade Commission's (FTC) review of its Telemarketing Sales Rule (TSR). CCIA is a national non-profit trade association of insurance companies and other financial service providers selling or servicing the majority of credit insurance and debt protection products typically provided in connection with consumer credit transactions in the United States. CCIA is dedicated to preserving and enhancing the availability, utility, and integrity of credit and debt protection products.

CCIA members are committed to complying with all applicable telemarketing laws and regulations when marketing products to consumers. Yet, today there is great uncertainty in the market due to the many overlapping and seemingly conflicting rules that may apply to solicitations made by telephone. The FTC's Request for public comments rightly recognizes the overlapping and conflicting provisions of the Restore Online Shoppers Confidence Act (ROSCA) and the Telemarketing and Consumer Fraud and Abuse Prevention Act<sup>1</sup> (Telemarketing Act). The consumer protection sought by these Acts is also often obfuscated by all the complementary and often conflicting state telemarketing laws and regulations, which can lead to inconclusive, duplicative, expensive and complicated compliance requirements and processes.

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<sup>1</sup> Telemarketing Consumer Fraud and Abuse Prevention Act (Telemarketing Act),

15 U.S.C. §§ 6101-6108. The TCPA amended Title II of the Communications Act of 1934, 47 U.S.C. § 201 *et seq.*

As a result, we are responding as follows to your question (II.A.5.) with regard to the TSR, "Does the Rule overlap or conflict with other federal, state or local laws or regulations."

The Telemarketing Act amended the 1991 Telephone Consumer Protection Act.<sup>2</sup> The Federal Trade Commission (FTC) has issued amendments to the TSR in 2003, 2008, and 2010.<sup>3</sup> The amendments addressed issues as they arose, such as robo calling and other technological changes. Like the original TSR issued in 1995, the amended TSR gives effect to the Telemarketing and Consumer Fraud and Abuse Prevention Act.

The Federal Communications Commission (FCC) enforces the Telephone Consumer Protection Act (TCPA), which also regulates telemarketing. The FCC amended its TCPA regulations, which touch on many of the topics covered by the TSR. For example, the 2003 amendments to the TSR created the National Do-Not-Call list.<sup>4</sup> However, the FCC has not explicitly exempted state laws that establish state Do-Not-Call (DNC) registries.

Many states also have specific laws regulating telephone solicitations and application of DNC registries. These laws are not preempted by the Telemarketing Act. Some states have allowed individuals to enroll in DNC registries over the Internet, and have exemptions to the DNC registries for certain types of telemarketing. These exemptions may include newspaper telemarketing, public opinion poll calling, calling on behalf of an elected politician or candidate, telemarketing where there was a prior business relationship with the call recipient, and telemarketing on behalf of charitable organizations.

Further state differences in addressing telemarketing issues include:

- Some states have enacted "no rebuttal statutes." These laws require the telemarketer to end the call when the consumer indicates that he/she is not interested in the product being sold.
- In a similar vein, some states have enacted "permission to continue laws." These statutes require the telemarketer to gain the consumer's permission or interest in the product before continuing the sales pitch.
- Telemarketer application, registration, and bonding are required in many states. However, many states exclude well-established businesses from these requirements.

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<sup>2</sup> Telephone Consumer Protection Act of 1991, Pub. L. No. 102-243, 105 Stat. 2394 (1991), *codified at* 47 U.S.C.

§ 227.

<sup>3</sup> See Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991, CG Docket No. 02-278, 27 FCC Rcg 1830, et. seq. (2012 TCPA Order); see generally 47 U.S.C. § 227; 47 C.F.R. § 64.1200.

<sup>4</sup> Do-Not-Call Implementation Act, Pub. L. No. 108-10, 117 Stat. 557 (2003), *codified at* 15 U.S.C. § 6101(*Do-Not-Call Act*).

- Some states have restricted the hours in which a telemarketer can initiate a sales call beyond the times specified in the TSR. The TSR limits sales calls to the hours of 8 AM to 9 PM in the recipient's time zone.
- Over half the states require certain telemarketing transactions to be memorialized in a written contract.
- Disclosures to consumers may differ, such as when they involve a prize or gift promotion.
- Some states have supplemented federal law with stronger protections against junk faxes.

A listing of some of the applicable state laws and enforcement authorities are attached.

In addition to the FTC and FCC laws, among other federal laws to be considered that impact telemarketing requirements include:

- The federal prenotification negative option rule, 16 C.F.R. pt. 425, *Use of Prenotification Negative Option Plans*, sets forth requirements for disclosures, notifications, and cancellation and refund policies.
- The Electronic Funds Transfer Act (EFTA)<sup>5</sup> may impose different obligations about a consumer's authorization of a charge.
- The FTC Mail or Telephone Order Merchandise Rule, 16 C.F.R. pt. 435, provides that the buyer have the option to cancel and receive a refund if merchandise is not delivered within the time period specified in the solicitation materials or within thirty days if no time period is specified.
- The Controlling the Assault of Non-Solicited Pornography and Marketing (CAN-SPAM) Act, codified at 15 U.S.C. §§ 7701-7713, establishes federal standards for electronic mail whose primary purpose is commercial, such as requiring that consumers be given the opportunity to opt-out of receiving future solicitations. The Federal CAN-SPAM Act preempts state laws regarding electronic solicitations. However, states may enforce laws prohibiting false and deceptive advertising sent via e-mail, and 38 states have related laws.
- Children's Online Privacy Protection Act of 1998 (COPPA: 5 U.S.C. 6501-6506) imposes certain requirements on operators of websites or online services directed to children under 13 years of age, and on operators of other websites or online services that have actual knowledge that they are collecting personal information online from a child under 13 years of age.
- The FTC has issued its *Children's Online Privacy Protection Rule* to accompany COPPA and is codified at 16 C.F.R. pt. 312. It requires verifiable parental consent before the operator of a website may collect personally identifiable information from children under the age of 13.
- Additional privacy rules may also have application.

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<sup>5</sup> (15 U.S.C. § 1693 *et seq.*),

Please also refer to the Direct Marketing Association for statistics and update charts on the variations and trends as well as the chilling effect of the multiple do not call lists, restrictions and other requirements on the telemarketing industry; see <http://thedma.org/who-we-are/>.

Due to the multiple layers of regulation and legislation, the industry is in a precarious position in attempting to comply and act properly with regard to telemarketing and electronic solicitations. The industry is seeking clarity and simplification with regard to these overlapping and potentially conflicting rules and regulations. We respectfully request that your office consider all requirements in your review of and prior to recommending additional changes in the Telemarketing Sales Rule.

We thank you for this opportunity to provide comment and input on this matter.

Respectfully submitted,

~~Scott J. Cipinko~~

**State Telephone Solicitation Laws**

Alabama: Alabama Telemarketing Act – Ala. Code §§ 8-19A-1 to 8-19A-24; Telephone Solicitations – Ala. Code §§ 8-19C-1 to 8-19C-12.

Alaska Telephonic Solicitations – Alaska Stat. §§ 45.63.010 – 45.63.100; Telephonic Sellers – Alaska Admin. Code Tit. 9 §§ 14.010 – 14.900; Unfair Trade Practices and Consumer Protection (Do Not Call) – Alaska Stat. §§ 45.50.475 – 45.50.561.

Arizona Telephone Solicitations – Ariz. Rev. Stat. §§ 44-1271 to 44-1282.

Arkansas Residential Sales and Solicitations – Ark. Code Ann. §§ 4-99-201 to 4-99-408; Regulation of Telephonic Sellers -- Ark. Code Ann. §§ 4-99-101 to 4-99-112; Arkansas Mail and Telephone Consumer Product Promotion Fair Practices Act – Ark. Code Ann. §§ 4-95-101 to 4-95-108.

California: Unsolicited and Unwanted Telephone Solicitations – Cal. Bus. & Prof. Code §§ 17590 – 17594; Telephonic Sellers -- Cal. Bus. & Prof. Code §§ 17511 - 17513.

Colorado: Prevention of Telemarketing Fraud – Colo. Rev. Stat. Ann. §§ 6-1-301 to 6-1-306; Colorado No-Call List Act – Colo. Rev. Stat. Ann. §§ 6-1-901 to 6-1-908; 4 Code of Colorado Regulation (CCR) 723-2.

Connecticut: Telemarketing – Conn. Gen. Stat. Ann. §§ 42-284 to 42-288.

Delaware: Telemarketing Registration and Fraud Prevention – Del. Code Ann. tit. 6, §§ 2501A – 2508A.

District of Columbia: Spam Deterrence Act - DC Code Ann 28-5001 to 5003; Telemarketing and Telephonic Anti-Solicitation DC Code 34-17011; Telephone Fraud – D.C. Code Ann. §§ 22-3226.01 to 22-3226.15

Florida Telemarketing Act – Fla. Stat. Ann. §§ 501.601 – 501.626; Consumer Protection (Telephone Solicitation) - Fla. Stat. Ann. § 501.059. Fla Admin. Code & Reg. Chap 5J-6.

Georgia: Telephone Service – Ga. Code Ann. §§ 46-5-20 to 46-5-27; Telemarketing No Call List – Ga. Comp. R. & Regs. r. 515-14-1-.01 to 515-14-1-.08.

Hawaii: Telemarketing Fraud Prevention Act – Haw. Rev. Stat. §§ 481P-1 to 481P-8.

Idaho: Idaho Telephone Solicitation Act – Idaho Code §§ 48-1001 to 48-1010; Idaho Rules of Telephone Solicitations and Pay-Per-Telephone Call Services – Idaho Admin. Code §§ 04.02.02.000 – 04.02.02.082.

Illinois: Telephone Solicitations Act – 815 Ill. Comp. Stat. 413/1 – 413/25; Restricted Call Registry Act – 815 Ill. Comp. Stat. 402/1 – 402/99.

Indiana: Telephone Solicitations – Ind. Code Chapter 12 §§ 24-5-12-1 to 24-5-12-25; Telephone Solicitations – 11 IAC 1-1-1 to 1-4-1; Telephone Solicitation of Consumers – Ind. Code §§ 24-4.7 to 24-4.7-5-6; Provision of Listing of Telephone Numbers Not to Be Solicited – 11 IAC 2-1-1 to 2-9-3.

Kansas: Telemarketing Fraud – Kan. Stat. Ann. §§ 50-670a to 50-675; Telephone Solicitations – Kan. Stat. Ann. §§ 50-669b to 50-670.

Kentucky: Telephone Solicitations – Ky. Rev. Stat. Ann. §§ 367.46951 – 367.46999.

Louisiana: Telephonic Sellers – La. R. S. §§ 45:821 – 45:833; Telephone Solicitation Relief Act of 2001 - La. R. S. §§ 45:844.11 – 45:844.17; Consumer Telemarketing Protection Act of 1991 - La. R.S. 45:810

Maine: Transient Sellers of Consumer Merchandise – 32 M.R.S. § 14701.

Maryland: Unfair or Deceptive Practices Act – Md. Commercial Law Code Ann. § 13-301; Maryland Telephone Solicitations Act – Md. Code Ann., Com. Law §§ 14-2201 to 14-2205; Maryland Telephone Consumer Protection Act – Md. Code Ann., Com. Law §§ 14-3201 to 14-3201.

Massachusetts: Telemarketing Solicitation – Mass. Gen. Laws Ann. ch. 159C, §§ 1 – 14.

Minnesota: Telephone Solicitation – Minn. Stat. Ann. §§ 325E.311 – 325E.316.

Mississippi: Mississippi Telephone Solicitation Act – Miss. Code Ann. §§ 77-3-701 to 77-3-737 (2014, Repealed effective 7/1/17); Unsolicited Residential Telephonic Sales Calls - Miss. Code Ann. §§ 77-3-601 to 77-3-619 (2003 Repealed effective 7/1/17)

Missouri: Telemarketing Practices – Mo. R. S. §§ 407.1070 – 407.1090, § 407.10895; § 407.1098; § 407.1070; Telemarketing No-Call List - Mo. R. S. §§ 407.1095 – 407.1110.

Montana: Montana Telemarketing Registration and Fraud Prevention Act – Mont. Code Ann. §§ 30-14-1401 to 30-14-1414; Telemarketing – Mont. Admin. R. 2.61.501 to 2.61.507; Telephone Solicitation No-Call List - Mont. Code Ann. §§ 30-14-1601 to 30-14-1606.

Nebraska: Telemarketing and Prize Promotions Act – Neb. Rev. Stat. §§ 86-212 to 86-235.

Nevada: Solicitation by Telephone – Nev. Rev. Stat. §§ 599B.005 – 599B.300; Telecommunication Solicitation – Nev. Rev. Stat. §§ 228.520 – 228.600; Solicitation by Telephone – Nev. Admin. Code ch. 599B, §§ 011 – 810.

New Hampshire: Telemarketing Sales Calls – N.H. Rev. Stat. Ann. §§ 359-E: 7 to 359-E: 11.

New Jersey: Frauds, Etc., In Sales or Advertisements of Merchandise – N.J. Stat. Ann. §§ 56:8-119 to 56:8-134; Telemarketing: Do Not Call – N.J. Admin. Code Tit. 13, §§ 45D-1.1 to 45D-5.2.

New Mexico: Unfair Trade Practices – N.M. Stat. Ann. §§ 57-12-22 to 57-12-24; Fraudulent Telemarketing – N.M. Stat. Ann. §§ 30-50-1 to 30-50-4; Consumer No-Call Act - N.M. Stat. Ann. §§ 57-12A-1 to 57-12A-7.

New York: Telephone Sales Protection Act – N.Y. Pers. Prop. Law §§ 440 – 448; Telemarketing and Consumer Fraud and Abuse Prevention Act – N.Y. Gen. Bus. Law § 399-pp; Telemarketing (Do-Not-Call) – N.Y. Gen. Bus. Law § 399-z.

North Carolina: Telephone Solicitations – N.C. Gen. Stat. §§ 75-100 to 75-105; Telephonic Seller Registration and Bond Requirement – N.C. Gen. Stat. §§ 66-260 to 66-266.

North Dakota: Telephone Solicitations – N.D. Cent. Code §§ 51-28-01 to 51-28-22.

Ohio: Telephone Solicitors – Ohio Rev. Code Ann. §§ 4719.01 – 4719.99; Telephone Soliciting – Telemarketing Registration – Ohio Admin. Code §§ 109:4-6-01 to 109:4-6-05.

Oklahoma: Commercial Telephone Solicitation – Okla. Stat. tit. 15, §§ 775A.1 – 775A.5; Telephone Solicitation – Okla. Stat. Title 21, § 1861; Telemarketer Restriction Act – Okla. Stat. Title 15, §§ 775B.1 – 775B.7.

Oregon: Unlawful Trade Practices – Or. Rev. Stat. §§ 646.608 & 646.611; Telephone Solicitors Registration – Or. Rev. Stat. §§ 646.551 – 646.559; Unlawful Telephone Solicitations - Or. Rev. Stat. §§ 646.561 – 646.565.

Pennsylvania: Telemarketing Registration Act – 73 Pa. Cons. Stat. §§ 2241 – 2249.

Rhode Island: Telephone Sales Solicitation Act – R.I. Gen. Laws §§ 5-61-1 to 5-61-6.

South Carolina: Regulation of Unsolicited Consumer Telephone Calls – S.C. Code Ann. § 16-17-445.

South Dakota: Telemarketing – S.D. Codified Laws §§ 37-30A-1 to 37-30A-17; Telecommunications Services - S.D. Codified Laws §§ 49-31-1 to 49-31-108.

Tennessee: Consumer Telemarketing Protection – Tenn. Code Ann. §§ 47-18-1501 to 47-18-1527; Telephone Solicitation - Tenn. Code Ann. §§ 65-4-401 to 65-4-408.

Texas: Regulation of Telephone Solicitation – Tex. Bus. & Com. Code Ann. §§ 38.001 – 38.305; Miscellaneous - Tex. Bus. & Com. Code Ann. § 35.47; Telemarketing Disclosure and Privacy Act - Tex Bus. & Com Code Ann. §35.47 and §44.001 *et seq.*

Utah: Telephone Fraud Prevention Act – Utah Code Ann. §§ 13-26-1 to 13-26-11; Telephone and Facsimile Solicitation Act – Utah Code Ann §§13-26-1 to 13-26-11.

Vermont: Telemarketing Transactions – Vt. Stat. Ann. 9 §§ 2464 – 2466.

Virginia: Virginia Telephone Privacy Protection Act – Va. Code Ann. §§ 59.1-510 to 59.1-518.

Washington: Telecommunications – Wash. Rev. Code §§ 80.36.005-80.36.901; Commercial Telephone Solicitation – Wash. Admin. Code §§ 308-320-010 to 308-320-090.

West Virginia: Telemarketing – W.Va. Code §§ 46A-6F-101 to 46A-6F-703.

Wisconsin: Telephone Solicitations – Wis. Stat. § 100.52, Wis. Admin. Code §§ 127.02 -127.20; No-Call List – Wis. Admin. Code ATCP § 127.82.

Wyoming: Telephone Solicitation – Wyo. Stat. Ann. §§ 40-12-301 to 40-12-305.

### **Continuous Service, Continuity and Negative Option**

Several states have enacted statutes that govern negative option plans, and other forms of advance consent marketing such as continuous service and continuity. These laws generally require certain disclosures during the initial solicitation, renewal notices and notification of cancellation procedures.

Alaska: Alaska Stat. § 45.45.930 (opt-out marketing plans).

California: Cal. Bus. & Prof. Code §§ 17600-17606(automatic purchase renewals).

Colorado: Colo. Rev. Stat. § 6-6-103 (unsolicited goods).

Connecticut: Conn. Gen. Stat. § 42-126b (unsolicited goods, automatic renewals).

Georgia: Ga. Comp. R. & Regs. r. 122-4.01 (negative option plans).

Hawaii: Haw. Rev. Stat. § 481-9.5 (automatic renewal clauses).

Illinois: 815 Ill. Comp. Stat. 601/1-601/20 (automatic contract renewal).

Kentucky: Ky. Rev. Stat. Ann. §§ 367.570-367.585 (negative option plans).

Louisiana: La. Rev. Stat. § 9:2716 (automatic renewal clauses).

Nebraska: Neb. Rev. Stat. Ann. § 63-101 (subscription without consent).

New York: 21 N.Y. Comp. Code R. & Regs. §§ 4602.2, 4603.1 (telemarketing, negative option).

North Carolina: N.C. Gen. Stat. § 75-41 (automatic renewal clauses).

Oregon: Or. Rev. Stat. §§ 646A.293 & 646A.295; (automatic renewal and continuous service offers).

Utah: Utah Admin. Code R152-11-12 (negative options).

Virginia Telephone Privacy Protection Act VA Code Sec 59.1-510-518.

West Virginia Code annotated 59.1-514 et seq.

Wisconsin Telemarketing Sales Act ATCP 127

### **State Consumer Contacts and Do Not Call Requirements**

These states have additional requirements and governmental entities established to limit and regulate telemarketing transactions.

- Alabama Public Service Commission. Alabama has a DNC list and a requirement for a written sales contract for certain telemarketing transactions. Additionally, telemarketers cannot make sales calls on Sundays or holidays.
- Alaska Consumer Protection Unit. Alaska has a DNC list, a requirement that telemarketers register before telemarketing in the state, a requirement for a written sales contract for all telemarketing transactions, and the requirement that consumers be able to return goods purchased through telemarketing for a certain period of time. These rights cannot be waived through contract.
- Arizona Attorney General. Arizona requires telemarketers to register with state authorities. Additionally, a written sales contract is required for some transactions.
- Arkansas Attorney General. Arkansas has a DNC list, prohibits telemarketers from blocking caller ID, has a no rebuttal law, and requires a written sales contract for certain telemarketing transactions.
- California Attorney General. California utilizes the Federal Do not Call list. Additionally, a written sales contract is required for some transactions.
- Colorado Public Utilities Commission. Colorado has enacted a DNC list.
- Connecticut Department of Consumer Protection. Connecticut has a DNC list, a prohibition on blocking caller ID, a prohibition on telemarketers reselling contact information, and a requirement of a written sales contract for certain telemarketing transactions.

- Delaware Attorney General. Delaware requires a written sales contract for certain telemarketing transactions and registration for telemarketers.
- District of Columbia. Calling Bans-No automated solicitations. Auto-Dial Restrictions-Disconnect within ten seconds after termination. Enforcement State Civil Action First offense: no more than \$1,000. Each subsequent offense: no more than \$5,000. Corporation Counsel of the District of Columbia shall prosecute violators.
- Florida Division of Consumer Services. Florida has a DNC list, requires telemarketers to register with the state, and requires a written sales contract for certain telemarketing transactions.
- Georgia Public Service Commission. Georgia has a DNC list. Additionally, telemarketers must reveal the name and telephone of the business on whose behalf the call is being made before the solicitation begins.
- Idaho Attorney General. Idaho has a DNC list, a no rebuttal law, and requires a written sales contract for certain telemarketing transactions.
- Illinois Attorney General. Illinois has a DNC list, a no rebuttal law, a permission to continue law, and requires a written contract for certain telemarketing transactions,
- Indiana Attorney General. Indiana has a free DNC list with penalties ranging from \$10,000 to \$15,000.
- Kansas Attorney General. Kansas has a no rebuttal law, limits on the use of auto dialers, and a requirement of a written contract for certain transactions.
- Kentucky Attorney General. Kentucky has a DNC list that includes several exemptions. For instance, publicly traded corporations, investment brokers, insurers, real estate brokers, and magazine, cable TV and newspaper providers are exempt. Additionally, Kentucky has a no rebuttal law, a permission to continue law, and a written sales contract requirement for certain telemarketing transactions,
- Louisiana Public Service Commission. Louisiana has a DNC list and program. The program requires telemarketers operating in the state to post a \$20,000 bond, and has a \$1,500 penalty for violation. Additionally, the state requires a written sales contract for certain telemarketing transactions.
- Maine Secretary of State. Maine has instituted a DNC list by requiring telemarketers to use the Direct Marketing Association's DNC list.
- Maryland Attorney General. Maryland requires a written sales contract for certain telemarketing transactions.
- Massachusetts Attorney General. Massachusetts requires a written sales contract for certain telemarketing transactions.
- Michigan Attorney General. Michigan requires a written sales contract for certain telemarketing transactions.
- Minnesota Attorney General. Minnesota requires a written sales contract for certain telemarketing transactions. Additionally, sales calls for funeral or burial services are prohibited in some circumstances.
- Mississippi Public Service Commission. Mississippi has a no rebuttal law and a written sales contract requirement for certain transactions,
- Missouri Attorney General. Missouri has a DNC list.
- Montana Department of Administration. Montana requires a written sales contract for certain telemarketing transactions.

- New Hampshire Attorney General. New Hampshire requires telemarketers to provide a customer service phone number for complaints when making sales calls.
- New York State Do Not Call Telemarketing Registry. New York has a free DNC list.
- Nevada Attorney General. Nevada requires a written sales contract for certain telemarketing transactions.
- New Mexico Attorney General. New Mexico requires a written sales contract for certain telemarketing transactions.
- North Carolina Utilities Commission. North Carolina has a permission to continue law and a requirement for a written sales contract for certain telemarketing transactions,
- North Dakota Attorney General. North Dakota requires a written sales contract for certain telemarketing transactions.
- Ohio Attorney General. Ohio requires a written sales contract for certain telemarketing transactions.
- Oregon Department of Justice refers residents to the Federal DNC list. Oregon also has a no rebuttal law and a permission to continue law.
- Pennsylvania Attorney General. Pennsylvania has telemarketer registration, a no rebuttal law, and a requirement for a written sales contract for certain telemarketing transactions.
- Rhode Island Attorney General. Rhode Island requires a written sales contract for certain telemarketing transactions.
- South Carolina Public Service Commission. South Carolina has a no rebuttal law.
- South Dakota Attorney General. South Dakota has a no rebuttal law, a permission to continue law, and a requirement for written sales contracts for certain telemarketing transactions.
- Tennessee Regulatory Authority. Tennessee has a free DNC list.
- Texas Public Utility Commission. Texas has a DNC list. It provides for a \$1,000 fine in case of violation. There is a registration charge unless you register online.
- Utah Division of Consumer Protection. Utah has a no rebuttal law and a requirement for a written sales contract for certain telemarketing transactions.
- Vermont Attorney General. Vermont requires a written sales contract for certain telemarketing transactions.
- Virginia Attorney General. Virginia requires a written sales contract for certain telemarketing transactions. Virginia prohibits caller ID blocking and provides for a \$1,000 penalty for each willful violation.
- Washington Attorney General. Washington has a no rebuttal law and telemarketer registration.
- Wisconsin State Department of Agriculture, Trade and Consumer Protection. Wisconsin has a DNC list. Wisconsin requires a written sales contract for certain telemarketing transactions.
- Wyoming Attorney General Consumer Protection Unit. Wyoming developed a DNC service by requiring telemarketers to use the Direct Marketing Association's DNC list. Additionally, telemarketers must register with the state and pay a \$500 fee.