



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senator Fuschillo Announces New Law to Protect Consumers From Intrusive Telemarketers

CHARLES J. FUSCHILLO JR. August 15, 2012

| ISSUE: **CONSUMER PROTECTION**

New Law Will Regulate All Telemarketers Who Do Business in New York State

Senator Charles J. Fuschillo, Jr. (R – Merrick) today announced that legislation he cosponsored to protect New Yorkers from telemarketing sales calls has been signed into law by Governor Andrew Cuomo. The new law allows the New York State Department of State to ban any telemarketing company that violates the state's telemarketing laws from doing business in New York State.

"This law gives consumers new protections from annoying, unwanted telemarketing sales calls. Telemarketers who do business in New York State, no matter where they are based out of, should be required to abide by the Do Not Call Registry. Thanks to this new law, that's exactly what will happen. I thank Governor Cuomo for working with us to help prevent residents from being hassled by telemarketers," said Senator Fuschillo, who authored the law creating New York State's Telemarketer "Do No Call Registry."

New Yorkers have registered over 13 million phone numbers on the Do-Not-Call registry. Since 2009, the state Department of State's (DOS) Division of Consumer Protection has received nearly 5,000 "Do Not Call" complaints and inquires. In just the first quarter of 2012,

the Federal Trade Commission received 61,705 "Do Not Call" complaints from New Yorkers.

Telemarketing companies that do business in New York State but are licensed out of state can continually call New Yorkers on the registry, pay a small fine, and continue doing business in New York State. Under the new law, all telemarketers doing business in New York State will be required to register with the Department of State, which will have the authority to revoke or suspend the registration of companies that do not comply with state law. Additionally, violations of the telemarketing law could result in additional fines and misdemeanor charges.

Currently, only 22 telemarketers are registered in New York. In contrast, in nearby states that require registration of out-of-state telemarketers calling into the state, the numbers are much higher. For example, over 500 telemarketers are registered in New Jersey, over 200 are registered in Pennsylvania, and over 300 are registered in Vermont.

The new law takes effect on November 12, 2012.