



NEW YORK STATE SENATOR

David J. Valesky

## Senate Passes Valesky-Sponsored Bill to Fight Telemarketing Scam

DAVID J. VALESKY April 28, 2017

| ISSUE: **SCAM PREVENTION**

Albany, NY, April 25, 2017 - Legislation sponsored by Senator David J. Valesky (D-Oneida) that would protect consumers from telemarketers who use voice recordings to fraudulently sign up consumers for goods and services passed the Senate today. The bill ([S.4361](#)) would add the requirement that a consumer be notified at the beginning of a telemarketing sales call that the call is being recorded.

Recently, there have been a number of phone scams in which callers record a person's voice and then later use that recording to deceive the consumer into paying for goods and services he or she did not agree to buy. In order to combat this new scam and protect consumers, Sen. Valesky proposed legislation requiring telemarketers to notify consumers that a call is being recorded. In this way, consumers would have a better indication that the call is legitimate. Additionally, if a scammer does later try to use a voice recording to deceive a consumer into paying for unwanted goods and services, the consumer may be alerted to the scam by the fact that they cannot recall being informed that a call was being recorded.

Under current law, telemarketers are required to inform consumers at the beginning of each telemarketing sales call of the following: that the purpose of the call is to offer goods and services for which a fee will be charged, the telemarketer's name and the person on whose behalf the solicitation is being made if other than the telemarketer, and the nature of the

goods or services for which a person will be charged. Additionally, telemarketing calls can only be made between 8:00 a.m. and 9:00 p.m.

“Telemarketers are already required to provide certain information at the start of every telemarketing call,” Sen. Valesky said. “This bill adds another key piece of information that will help a consumer to determine the legitimacy of the caller and whether or not to continue the call.”

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#### RELATED LEGISLATION

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### **2017-S4361**

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- Introduced
  
- - In Committee Assembly
  - In Committee Senate
  
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
  
- - Passed Assembly
  - Passed Senate
  
- Delivered to Governor
  
- Signed By Governor

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Requires telemarketers to disclose that a call is being recorded

February 10, 2017

Signed by Governor

Sponsored by [David J. Valesky](#)

Do you support this bill?