



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

## No More Phony Phone Calls: Senator Hoylman, Assemblymember Niu Introduce New Bill to Shield New Yorkers from the Scourge of Robocalls

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| ISSUE: **PHONY PHONE CALLS**



ALBANY, NY - Today, Senator Brad Hoylman (D/WF-Manhattan) and Assembly Member Yuh-Line Niou (D/WF-Manhattan) announced the introduction of the Robocall Prevention Act ([S3297-A/A675-A](#)), which addresses the scourge of the record number of robocalls placed in 2018, a total of 47.8 billion nationwide.

The Robocall Prevention Act effectively bans unwanted robocalls in the state of New York by:

- Prohibiting any person or entity from making robocalls to any telephone number owned by a person in New York State, unless for emergency purposes or with the prior express consent of the call recipient;
- Requiring telephone service companies to make available technology that would block unwanted robocalls, free of charge to the consumer;
- Giving the State Attorney General new enforcement powers on robocalls and authorizing new civil penalties of up to \$2,000 per robocall, up to \$20,000 for calls placed in violation of the law within a continuous 72-hour period; and
- Granting New Yorkers a private right of action to go after violators themselves, and allow courts to award treble damages for those who knowingly and willfully violate the law.
- The legislation has been endorsed by the National Consumer Law Center, Consumer Reports, and the Public Utility Law Project of New York.

**Senator Hoylman said:** “There isn’t an issue I hear more about from constituents than the proliferation of robocalls. These calls aren’t just annoying—they’re dangerous, and often used to defraud unsuspecting consumers, seniors, and vulnerable New Yorkers.

“The Robocall Prevention Act will crack down on illegal robocalls and those who make them. I’m proud to introduce this bill with Assembly Member Niou, along with the support of Consumer Reports and the Public Utility Law Project, to ensure New York consumers are shielded from unwanted harassment and predatory behavior. Albany needs to act now to protect consumers from these harassing calls.”

**Assembly Member Niou said:** “Unwanted and predatory robocalls have long plagued New Yorkers and continue to surge in volume over the past few years. Robocall scams have also become more advanced, targeting seniors or immigrants in their native language and defrauding them of millions of dollars. In my district, we receive numerous calls from constituents who have fallen prey to scam robocalls that request money in exchange for free trips, packages they have forgotten to pick up, or immigration assistance for a family member in another country. Some scam robocalls pretend to represent the Chinese Consulate and demand money from individuals to allow them to stay in the United States. We deserve better. The current regulations New York and the Federal Government have are not enough and we must do better to protect our consumers from harassment and predatory tactics. I’m proud to work with Senator Brad Hoylman, along with other advocates, to sponsor the Robocall Prevention Act and provide real protections to New Yorkers.”

**Senator Carlucci said:** “Senator Hoylman and Assembly Member Niou are addressing a problem that truly needs solving. I am proud to sponsor this legislation with Senator Hoylman in the Senate. We must protect our residents from constant and annoying robocalls when the National Do Not Call Registry is not doing its job. In Rockland and Westchester, seniors are continually falling victim to financially costly scams, and it’s our job to help. The telephone companies have the technology to block many of these calls, and it’s time they do it free of charge for consumers.”

**Richard Berkley, Public Utility Law Project of New York said:** "Robocallers call Americans on their cell phones and landlines, and send unwanted texts, approximately 5 billion times per month. These unwanted calls and texts intrude on our privacy and family time, can lead to identity theft and harmful financial scams, and are particularly harmful to low-income/fixed-income households. Senator Hoylman and Assembly Member Niou's

legislation will provide new protections for vulnerable New Yorkers, make available effective no-cost blocking tools, and will fill the gap in protections that federal law, the FCC and FTC have been unable or unwilling to address."

**Chuck Bell, Programs Director, Consumer Reports said:** "Now, more than ever, consumers need real protections from unwanted robocalls. Senator Hoylman's and Assembly Member Niou's bill will stop most unwanted calls, and ensure New Yorkers can say no at any time, even if they previously agreed to them. We look forward to working with Senator Hoylman and Assembly Member Niou to pass these important reforms."

**Margot Sanders, National Consumer Law Center said:** "New York consumers are fortunate that Senator Hoylman and Assembly Member Niou have sponsored this excellent bill to address the plague of robocalls. If passed, this initiative will stop many unwanted robocalls."

The Robocall Prevention Act was reported out of the Senate Energy and Telecommunications Committee today.

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