No More Phony Phone Calls: Senate Passes Robocall Prevention Act

BRAD HOYLMAN-SIGAL   June 14, 2019

Hoylman: "The robocall epidemic is nothing short of a consumer protection crisis. Albany must act now."

ALBANY, NY – Today, Senator Brad Hoylman (D/WF-Manhattan) announced passage in the New York State Senate of the strongest state-level anti-robocall law in the nation, the "Robocall Prevention Act" (S3297-A/A675-A), by a unanimous vote. The bill now goes for consideration in the State Assembly where it is carried by Assemblymember Yuh-Line Niou (D/WF-Manhattan).

The Robocall Prevention Act attacks the scourge of unwanted robocalls in New York by enacting a series of new restrictions on robocalls, requirements of telephone companies and enforcement measures. Specifically, the bill:

- Requires telephone companies to make call blocking technology available to customers for free;

- Gives New Yorkers the right to request that callers like debt collectors stop robocalling them;

- Prohibits fraudulent "spoofing" using disguised numbers;

- Provides additional protections against robocalls for landlines, which have less protection than cell phones under federal law;

- Grants the State Attorney General new enforcement powers to go after scammers;

- Gives New Yorkers a private right of action to sue illegal robocallers;

- Requires the State of New York to issue annual reports on robocalls and make recommendations for further action against robocalls.

- The legislation has been endorsed by a wide array of consumer and advocacy organizations, including AARP, NYPIRG, the National Consumer Law Center, Consumer Reports, and the Public Utility Law Project of New York.

Senator Hoylman said: "The robocall epidemic is nothing short of a consumer protection crisis. Albany must act now. With over 47.8 billion robocalls placed nationwide in 2018 and 25 billion placed in just the first five months of 2019, the proliferation of robocalls rank among the top concerns of my constituents. These calls aren't just annoying—they're dangerous, and often used to defraud unsuspecting consumers, seniors and vulnerable New Yorkers.

"With the passage of our Robocall Prevention Act, we're one step closer to stopping the deluge of illegal robocalls and those who make them. I'm grateful to Senate Leader Stewart-Cousins and my colleagues, as well as Assembly Member Niou, AARP, Consumer Reports, NYPIRG, and the Public Utility Law Project for their support."

Assembly Member Niou said: "Unwanted and predatory robocalls continue to plague New Yorkers and have surged in volume over the past years. Robocall scams have also become more advanced, targeting seniors or immigrants in their native language and defrauding our community members 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. New Yorkers deserve better. The current regulations in New York and from the Federal Government are not enough. With the passage of our robocall prevention bill in the Senate, we are one step closer to providing our consumers with true protections from harassment and predatory tactics. Thank you to Senator Hoylman for his leadership in the Senate and the advocates who support our bill. I look forward to continuing our fight in the Assembly to pass this common-sense legislation and providing New Yorkers with real safeguards to fraudulent robocalls."

Richard Berkley, Executive Director of the Public Utility Law Project of New York said: "In an era when most calls to your landline phone and many calls to your cellphone are pitching scams, trying to steal your identity, or just trying to sell you something you do not need, robocalls are annoying, expensive, intrusive and dangerous -- because they teach us to ignore the phone. Due to the 5 billion or more robocalls made each month, we are taught that phonecalls should be ignored, but what about when it is a family member or friend in trouble, or a reverse 911 call on a public safety matter, or a health-related call? I applaud New York's Assembly and Senate, and particularly Senators Kaminsky and Hoylman and Assemblymembers Paulin and Niou, and their colleagues and cosponsors, for taking action to protect New Yorkers from the scourge of robocalls. In a time when the FCC and FTC won't take commonsense and effective measures to protect consumers, New York's legislators and those of other battleground states must act to protect the citizenry."

Chuck Bell, Programs Director, Consumer Reports said: "''Consumers are hopping mad about robocalls that invade their lives at every hour of the night and day. Robocalls are also more than just a nuisance. Telephone scammers use robocalls to rip off the elderly, immigrants and other vulnerable consumers, resulting in an estimated $9 billion in financial losses every year. "

The New York Robocall Prevention Act will bring much overdue protection to New York consumers, and lead the nation in expediting access to new call-blocking technology. We commend Senator Brad Hoylman and Assembly Member Yuh-Line Niou for their leadership in developing and fighting for this critically important legislation."

AARP New York State Director Beth Finkel said:"Robocalls are annoying and often costly, especially for older New Yorkers. Scammers target older adults assuming they are less likely to know they're being scammed and less likely to report it. With over 10,000 Americans having lost money in one scam alone in which they receive robocalls claiming they owe the Internal Revenue Service back taxes and face imprisonment if they don't pay, it's time for much stronger consumer protections. AARP thanks Senator Hoylman and Assemblywoman Niou for this tough bill to crack down on fraudulent robocalls."

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