

STATE TELEMARKETING LAWS

California

Telemarketing and Robocall Laws

Statutes, rules, and how they differ from the TCPA



By Adam Young and Harrison Gevirtz

<https://tcpa.com/state-telemarketing-laws/california/>

01. Do-not-call law

CAL. BUS. & PROF. CODE §§ 17590 TO 17594

Adopts California numbers on the national registry, requires signed written consent, and binds opt-outs across shared brands.

02. Automatic dialing-announcing devices

CAL. PUB. UTIL. CODE §§ 2871 TO 2876

Consent or a natural voice introduction, AI voice disclosure, a 9 p.m. to 9 a.m. ban and CPUC fines of up to \$500 per violation.

AT A GLANCE

California at a glance

WHY CALIFORNIA MATTERS

Prerecorded calls need a prior agreement or a live, natural voice introduction, which since 2025 must disclose an AI voice. ADAD calls are barred from 9 p.m. to 9 a.m. Unsolicited text ads are banned, and telephonic sellers post a \$100,000 bond.



Who and what is covered

A "telephone solicitor" makes or causes a call to a California number to sell or promote goods, services, credit, investments, insurance or financial services (§ 17592(a)(1)).

Text messages

Section 17538.41 bans unsolicited text message ads to California mobile numbers, with exceptions.

Aa. **Lines**

Residential and wireless subscribers are both protected (§ 17590(a)).

Bb. **Exemptions**

Eight, from written consent to debt and charity calls.

8

Cc. **Small firms**

Five or fewer staff, owner calling within 50 miles.





Consent must be in writing

The consent exemption needs "the express agreement, in writing, of the subscriber," naming the party that may call and bearing the subscriber's signature (§ 17592(e)(1)).

The solicitor proves it

Produce the original or a fax of the signed permission, or an advertisement by the subscriber.

No adhesion contracts

"Express agreement" does not include consent placed in a contract of adhesion.

01. The national registry

CAL. BUS. & PROF. CODE § 17592(A)(2), (C)

The California list is the California numbers on the national registry.
No covered solicitation to a listed number.

02. Brand-wide opt-outs

CAL. BUS. & PROF. CODE § 17592(E)(4)

An internal do-not-call request binds the business and every entity that shares its brand name.

DO-NOT-CALL

Do-not-call and opt-outs

IN PRACTICE

California treats a list up to three months old as current, but federal rules require one no more than 31 days old, so scrub every 31 days. The business relationship lasts 18 months after a purchase or transaction.



Calling hours for ADADs

California's only statutory calling-hour rule covers automatic dialing-announcing device calls received by a phone in the state.

9

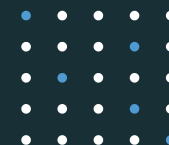
a.m. ADAD start

No ADAD call between 9 p.m. and 9 a.m. California time (Pub. Util. Code § 2872(c)).



Live calls

No state window. The federal 8 a.m. to 9 p.m. local time rule applies.



Abandoned calls

No connection without a live agent, subject to a 3 percent monthly CPUC error rate.

Autodialers and AI voices

An ADAD is equipment with "a storage capability of telephone numbers to be called or a random or sequential number generator," plus the ability to play a prerecorded message.

Broader than Duguid

List-based dialers that can play recordings are ADADs, even if outside the federal test.

Aa. **Live intro**

Without a prior agreement, a natural voice first gives the caller and asks consent.

Bb. **AI voice**

Since 2025, say if the message uses an artificial voice.

2025

Cc. **Phone co.**

Apply in writing to the phone company before connecting.



Registration and bonding

A "telephonic seller" making prize, discount or investment representations registers with the Department of Justice at least 10 days before doing business, and renews each year.

\$100,000

Required bond

A surety bond for anyone with a pecuniary loss from a seller that broke the law (§ 17511.12).



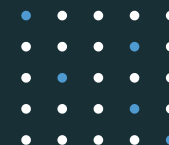
\$50 filing fee

Filed with the Consumer Protection Section, with numbers, salespersons and scripts.



Cancellation notice

Home solicitation sales: cancel to midnight of the third business day.



Lawsuits and penalties

\$1,000

Do-not-call: small claims only. A second suit after an ignored injunction, up to \$1,000.

\$500

Junk fax: actual or \$500 per violation, up to three times if willful or knowing.

CLRA

Prerecorded message claims: actual damages, fees and class actions, after 30 days notice.



California vs. the TCPA

California is stricter on prerecorded calls, ADAD hours, consent in adhesion contracts, text ads and seller bonds. It is looser on list age, and its private do-not-call remedy is small claims only. Callers must meet both.

California

Live intro or prior agreement, ADADs 9 a.m. to 9 p.m., \$100,000 bond, \$1,000 small claims.

Federal TCPA

Written consent for prerecorded sales calls, 8 a.m. to 9 p.m., no bond, \$500 to \$1,500 per call.

Key court rulings

Gresham v. Picker tested the ADAD statute against Reed v. Town of Gilbert. The courts left the law in place under the Ninth Circuit's earlier Bland ruling.

No new rulings

No published decision on the 2025 AI voice rule or the text ad ban was located.

Aa. **Bland**

9th Cir. 1996: § 2872 upheld as content neutral.

Bb. **9th Cir.**

2017, unpublished: denial of injunction affirmed.

2017

Cc. **E.D. Cal.**

2016: injunction denied; case dismissed in 2018.



Recent amendments



2023

AB 2906

Schools may use ADADs to reach parents on attendance, health or safety.

2025

AB 2905

Natural voice intro must say if the message uses an artificial voice.

2025

AB 3281

Renamed the DOJ section in the registration and bond rules.

2026

AB 1327

A notice of cancellation may also be delivered by email.

01. Calls and lists

BUS. & PROF. CODE §§ 17592, 17593

- Scrub every 31 days; get signed written consent.
- Honor opt-outs across every entity sharing the brand.
- Register and bond if a telephonic seller.
- Document training for the accidental violation defense.

02. Recorded calls and texts

PUB. UTIL. CODE §§ 2872 TO 2875; § 17538.41

- Prior agreement or live intro; disclose any AI voice.
- No ADAD calls 9 p.m. to 9 a.m.; file the phone co. application.
- Text ads only with an existing relationship and opt-out.

CHECKLIST

Compliance checklist

PLEASE NOTE

This checklist summarizes state law for general information and is not legal advice. Statutes change; confirm current text with the official source.



Sources behind this deck (1 of 2)

CALIFORNIA LAW

[Bus. & Prof. Code § 17590](#) do-not-call findings

[Bus. & Prof. Code § 17592](#) do-not-call rules

[Bus. & Prof. Code § 17593](#) enforcement

[Bus. & Prof. Code § 17511.1](#) telephonic seller

[Bus. & Prof. Code § 17511.3](#) registration

[Bus. & Prof. Code § 17511.5](#) disclosures

[Bus. & Prof. Code § 17511.12](#) bond

[Bus. & Prof. Code § 17538.41](#) text ads

CALIFORNIA LAW (CONTINUED)

[Bus. & Prof. Code § 17538.43](#) junk fax

[Bus. & Prof. Code § 17208](#) UCL limitations

[Pub. Util. Code § 2871](#) ADAD definition

[Pub. Util. Code § 2872](#) ADAD hours

[Pub. Util. Code § 2874](#) natural voice

[Pub. Util. Code § 2875.5](#) abandoned calls

[Civ. Code § 1770](#) CLRA practices

[Civ. Code § 1780](#) CLRA remedies

[Civ. Code § 1783](#) CLRA limitations

[Civ. Code § 1689.5](#) home solicitation

Read the full California guide: <https://tcpa.com/state-telemarketing-laws/california/>

Sources continued (2 of 2)

CALIFORNIA LAW (CONTINUED)

[CPUC Decision 03-03-038](#) error rate

COURT DECISIONS

[Gresham v. Picker](#), No. 2:16-cv-01848 (E.D. Cal. Oct. 7, 2016)

[Gresham v. Picker](#), No. 16-16829 (9th Cir. Aug. 24, 2017)

[Gresham v. Picker, Order of Dismissal](#) (E.D. Cal. Mar. 16, 2018)

FEDERAL LAW

[16 C.F.R. § 1.98](#) FTC civil penalty amounts

[47 C.F.R. § 64.1200](#) FCC telemarketing and robocall rules

[16 C.F.R. Part 310](#) FTC Telemarketing Sales Rule

Read the full California guide: <https://tcpa.com/state-telemarketing-laws/california/>

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The law changes

Current as of October 15, 2026. Statutes, FCC and FTC rules and court decisions change, and some changes are adopted before they take effect. This deck may not reflect later developments.

Courts disagree. Courts in different places can read the same rule differently. Case summaries are not predictions: any other matter turns on its own facts, court and law.

Check the official source. Verify each point against the statute, rule or opinion on the Sources slides. If an official source and this deck differ, the official source controls.

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Read the full California guide on TCPA.com

The guide covers do-not-call, ADAD and AI voice rules, calling hours, text ads, seller registration and bond, remedies, rulings and a checklist, with links to the sources.



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Adam Young

Adam Young is a Miami entrepreneur, the CEO of Ringba and the author of The Pay Per Call Revolution, with more than a decade in telecom, call routing and performance marketing. At TCPA.com he writes about the TCPA, robocall enforcement, tech support fraud cases and what DOJ, FTC and FCC actions mean for companies that make calls. His goal is simple: keep good companies compliant and keep scammers off the phone network.

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Harrison Gevirtz is the Chief Strategy Officer of Ringba, a call tracking and pay per call platform based in Las Vegas. He has worked for years in call tracking, call routing and telemarketing operations, with a focus on how federal regulations affect daily operations. At TCPA.com he covers TCPA litigation, TSR enforcement, tech support fraud prosecutions and FCC rulemaking for executives and compliance managers who are not lawyers.

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