

Delaware

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/delaware/>

01. Telemarketing Fraud Act

6 DEL. C. §§ 2501A TO 2510A

Registration and bond, opening and pre-payment disclosures, a cancellation right, payment authorization and prohibited practices.

02. Consumer Fraud Act

6 DEL. C. §§ 2513, 2522, 2525

Every Act violation is also a Consumer Fraud Act violation, with civil penalties up to \$10,000 and a private action.

AT A GLANCE

Delaware at a glance

WHY DELAWARE MATTERS

A stop request binds the caller for 10 years, twice the federal five. Sellers and telemarketing businesses register and post a \$50,000 bond, and buyers get seven business days to cancel. Federal law supplies the list, dialer and caller ID rules.



Who and what is covered

"Telemarketing" is an organized campaign "conducted for solicitation of a sale of merchandise through the use of 1 or more telephones to contact customers" (§ 2502A(12)).

Text messages

A "solicitation" can be electronic, but no court has said whether texts are "telemarketing."

Aa. **Sellers**

Anyone who uses or hires telemarketing to sell merchandise.

Bb. **Businesses**

Anyone who telemarkets for a seller for pay.

Cc. **Exempt**

Business-to-business, charities, insurance, banks, catalogs.





Cancel within seven days

7 days

A telephone sale "shall only be considered final 7 business days after the customer has received a written notice" of the right to cancel (§ 2506A(b)(1)).

12-point bold notice

In the language of the pitch. Refunds are due within 10 business days of the cancellation.

Bank drafts

No check or draft on an account without the person's express verifiable authorization.

01. No state list

47 C.F.R. § 64.1200(C)(2)

Delaware keeps no statewide do-not-call registry. The National Do Not Call Registry applies to Delaware calls.

02. Stop means 10 years

6 DEL. C. § 2507A(A)(3)

No wilful sales call or contact for 10 years after the customer says, orally or in writing, to stop.

DO-NOT-CALL

Do-not-call and opt-outs

IN PRACTICE

A call is wilful if the caller "knows or should know" of the instruction. Record the date of every request: purging after five years, as federal practice allows, can break Delaware law.



Required disclosures

The Act sets what a telemarketer says at the start of the call and before asking for payment, and how long records are kept.

24

Months of records

Scripts, customer, prize, employee and authorization records (§ 2504A(a)).



Before the pitch

Sales purpose, telemarketer and seller names, and the merchandise.



Before payment

Total cost, conditions, refund terms and prize odds.

Dialers, hours and caller ID

The Act does not regulate dialing equipment, prerecorded messages or caller ID for commercial calls. Federal law, including Facebook v. Duguid, governs.

No commercial calling hours

Delaware sets no hours for sales calls. The federal 8 a.m. to 9 p.m. window applies.

Aa. **Federal**

TCPA dialer, prerecorded and caller ID rules apply.

Bb. **Political**

Robocalls name the sponsor and run 8 a.m. to 9 p.m.

\$25

Cc. **Frequency**

No call cap; the 10-year stop rule is the main limit.



Registration and bonding

Unless exempt, a seller or telemarketing business needs a certificate of registration from the Director of the Consumer Protection Unit before telemarketing to Delaware customers.

\$50,000

Bond or credit

Surety bond or letter of credit, kept for 3 years after leaving the state (§ 2503A(d)).



\$100 fee

One-year certificate; renew at least 30 days before it ends.



Report changes

Within 30 days; scripts are filed with the application.

Lawsuits and penalties



Punitive

Customers with a loss or harm recover actual and punitive damages and fees.
No per-call minimum.

\$10,000

Consumer Fraud Act civil penalty per wilful violation, plus injunctions and restitution.

3 years



General period for actions based on a statute; not yet applied to this Act.



Delaware vs. the TCPA

Delaware adds a 10-year stop rule, registration and bonding, a seven-business-day cancellation right and a broader standard for assisting violators. It relies on federal law for the registry, dialers and caller ID.

Delaware

10-year stop rule, \$50,000 bond, seven days to cancel, actual and punitive damages for harm.

Federal TCPA

5-year stop rule, no bond, no cancellation right, \$500 to \$1,500 per call with no harm needed.

Agency enforcement

No published decision construing the Telemarketing Fraud Act was located, so enforcement rests on the statute, the Director and the Attorney General.

Assisting violators

Liability if the helper "knew or should have known," broader than the federal test.

Aa. **Director**

May deny or revoke registration after a hearing.

Bb. **AG**

Up to \$10,000 per wilful Consumer Fraud Act violation.

\$10K

Cc. **Criminal**

Telemarketing fraud adds a class F felony.



Key deadlines



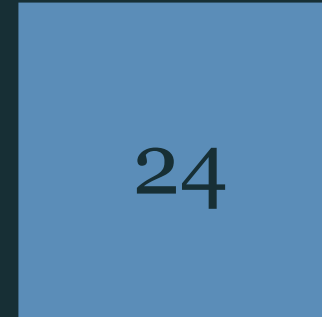
Days to cancel

Sale is final 7 business days after the written notice.



Days to refund

Payments returned within 10 business days of cancellation.



Months of records

Keep scripts, customer and authorization records.



Years of bond

Security stays in effect 3 years after leaving the state.

01. Registration and calls

6 DEL. C. §§ 2503A, 2506A, 2507A

- Register, post the \$50,000 bond and renew on time.
- Honor stop requests for 10 years; log the date.
- Give opening and pre-payment disclosures.
- Deliver the seven-day notice in 12-point bold.

02. Payments, records, vendors

6 DEL. C. §§ 2504A, 2507A

- Get express verifiable authorization for drafts.
- Keep records 24 months; allocate duties in writing.
- Vet vendors; follow federal dialer and caller ID rules.

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

DELAWARE LAW

[6 Del. C. ch. 25A](#) Telemarketing Fraud Act, §§ 2501A to 2510A

[6 Del. C. ch. 25, subch. II](#) Consumer Fraud Act

[10 Del. C. ch. 81](#) limitations, including § 8106

[15 Del. C. ch. 80, subch. V](#) political robocalls, § 8045A

FEDERAL LAW

[47 U.S.C. § 227](#) Telephone Consumer Protection Act

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

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

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

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Full text: <https://tcpa.com/disclaimer/> and <https://tcpa.com/terms/>

Not legal advice

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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 slide. If an official source and this deck differ, the official source controls.

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Read the full Delaware guide on TCPA.com

The guide covers registration and bond, the 10-year stop rule, disclosures, cancellation, payment authorization, enforcement and a checklist, with links to the sources.



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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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