

STATE TELEMARKETING LAWS

Georgia

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/georgia/>

01. Do-not-call statute

O.C.G.A. § 46-5-27

No solicitation to residential, mobile or wireless subscribers on the PSC list, caller identification at the start, and no caller ID blocking.

02. Automatic dialing (ADAD)

O.C.G.A. § 46-5-23

Prior consent, 8 a.m. to 9 p.m., no random or sequential dialing, message identification and a PSC permit.

AT A GLANCE

Georgia at a glance

WHY GEORGIA MATTERS

Since July 1, 2024, a consumer with more than one unlawful solicitation in 12 months can recover actual loss or up to \$1,000 per violation, plus fees, from the caller or the seller it called for. Class actions skip the cap.



Who and what is covered

A "telephone solicitation" is "any voice communication over a telephone line" to encourage buying, renting or investing in property, goods or services (§ 46-5-27(b)(3)).

Text messages

On its face the voice definition does not reach texts. A 2020 bill to add them failed.

Aa. **Lines**

Residential, mobile and wireless subscribers.

Bb. **Relations**

Any prior or current business or personal relationship, with no time limit.

Cc. **Exempt**

Charities and real estate and other listed licensees.





ADAD consent

Using ADAD equipment for consumer sales or polls is unlawful if "Consent is not received prior to the initiation of the calls" (§ 46-5-23(a)(2)(A)).

Live operator consent

An operator introduces the call and states an intent to play a recording. It covers one call.

Written, for two years

The form explains how to withdraw. A withdrawal letter voids it on the fifteenth day.

01. PSC list, now national

O.C.G.A. § 46-5-27(C), (D)

No solicitation to a subscriber who objected through the PSC database, which is now part of the national registry.

02. Identify; keep caller ID

O.C.G.A. § 46-5-27(G)

State who is calling at the start of the call, and never block or circumvent caller ID.

DO-NOT-CALL

Do-not-call and opt-outs

IN PRACTICE

A seller is liable for calls made for it under an agreement, even if unaware. Its defense: policies and procedures for each calling vendor, mandated and enforced. A number given in error is also a defense.



Calling hours for ADADs

Georgia's only calling-hour rule covers ADAD calls. It sets the same window as federal law, but only for recorded calls.

9

p.m. ADAD cutoff

ADAD use is unlawful "other than between the hours of 8:00 A.M. and 9:00 P.M." (§ 46-5-23(a)(2)(B)).

Live calls

No Georgia hours. The federal 8 a.m. to 9 p.m. rule applies.

Repeat calls

Suit needs more than one unlawful call in 12 months.

Autodialers and caller ID

ADAD equipment is any system used for "automatically selecting or dialing telephone numbers and disseminating prerecorded messages" to them (§ 46-5-23(a)(1)).

Broader than Duguid

No number generator needed; random or sequential dialing is itself barred.

Aa. **PSC permit**

Required for each ADAD;
renewed every two years.

Bb. **Identify**

Name and number in the first
25 seconds and at the end.

25

Cc. **Release**

Disconnect within ten
seconds of a refusal or hang-
up.



Seller liability

It is no defense that the defendant did not make the call, or did not know it broke the law, if the call was made on its behalf under an agreement, contract, request or job (§ 46-5-27(j)).

\$2,000

AG penalty

Per do-not-call or caller ID violation.
SB 73 removed the knowing element
(§ 46-5-27(h)).



Vendor policies

The one defense: policies for each calling vendor, mandated and enforced.



No registration

Georgia has no general telemarketer registration or bond.



Lawsuits and penalties



\$1,000

Greater of actual loss or up to \$1,000 per violation, plus fees, after more than one call in 12 months.

Class

Do-not-call class actions are allowed without the cap. FBPA claims are individual only.

2 years



From when the consumer knew or should have known. Federal TCPA claims get four.



Georgia vs. the TCPA

Georgia's private action is modeled on the TCPA, with a higher \$1,000 cap, fee shifting, class actions, seller liability, narrower defenses and two years to sue. Federal law reaches texts and sets hours for all calls.

Georgia

Up to \$1,000 plus fees, untimed relationships, voice calls only, ADAD hours only, two years.

Federal TCPA

Up to \$500, trebled if willful, 18-month relationships, texts covered, four years.

Agency enforcement

No defining decision construing § 46-5-27 or § 46-5-23 was located, so enforcement rests on the statutes, the PSC and the Attorney General.

FBPA demand first

Send a written demand 30 days before suing; a fair offer can cap fees.

Aa. **PSC**

Enforces ADAD rules; service cut after ten days.

Bb. **AG**

Up to \$2,000 per violation,
\$5,000 in court.

\$5K

Cc. **Criminal**

ADAD and junk fax violations are misdemeanors.



Recent amendments



2020

HB 1071 fails

A bill to add text messages to the definition was not enacted.

2024

SB 90

Effective Jan. 1, 2024: adds property and a licensee exclusion.

2024

SB 73

Effective July 1, 2024: \$1,000 cap, fees, class actions, seller liability.

2025

SB 153

Code revision; no substantive change to § 46-5-27 found.

01. Live solicitations

O.C.G.A. § 46-5-27

- Scrub Georgia numbers, wireless too, against the registry.
- Require and enforce do-not-call policies for each vendor.
- Identify the caller at the start of every call.
- Never block or circumvent caller ID.

02. ADAD calls and the FBPA

O.C.G.A. §§ 46-5-23; 10-1-393, 10-1-399

- Get a PSC permit and prior consent; call 8 a.m. to 9 p.m.
- Identify in 25 seconds; release in ten.
- Answer FBPA demands within 30 days with a fair offer.

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

GEORGIA LAW

[O.C.G.A. § 46-5-27](#) do-not-call

[O.C.G.A. § 46-5-27](#) (Justia 2025)

[O.C.G.A. § 46-5-23](#) ADAD equipment

[O.C.G.A. § 46-5-21](#) harassing calls

[O.C.G.A. § 46-5-24](#) 976 numbers

[O.C.G.A. § 46-5-25](#) junk faxes

[O.C.G.A. § 46-5-28](#) wireless directories

[O.C.G.A. § 46-1-1](#) definitions

[O.C.G.A. § 10-1-393](#) FBPA unfair practices

GEORGIA LAW (CONTINUED)

[O.C.G.A. § 10-1-393.5](#) telemarketing fraud

[O.C.G.A. § 10-1-393.6](#) telemarketing practices

[O.C.G.A. § 10-1-396](#) FBPA exemptions

[O.C.G.A. § 10-1-397](#) AG enforcement

[O.C.G.A. § 10-1-399](#) private action

[O.C.G.A. § 10-1-401](#) limitations

[O.C.G.A. § 10-1-405](#) injunction penalties

LEGISLATION AND AGENCIES

[SB 73 \(2024\), signed text](#)

[SB 73 \(2024\), Georgia General Assembly](#)

[Consumer Protection Division: statutes we enforce](#)

[Consumer Protection Division: Do Not Call](#)

FEDERAL LAW

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

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

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

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

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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 Georgia guide on TCPA.com

The guide covers the do-not-call statute and SB 73, ADAD consent and permits, caller ID, seller liability, remedies, 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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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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