

STATE TELEMARKETING LAWS

Illinois

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/illinois/>

01. Automatic Telephone Dialers Act

815 ILCS 305

Dialers that play recorded sales messages: no calls 9 p.m. to 9 a.m., consent, a 30-second disconnect and caller ID.

02. Telephone Solicitations Act

815 ILCS 413

Live-operator sales calls: no calls 9 p.m. to 8 a.m., identification, a consent question and removal requests.

AT A GLANCE

Illinois at a glance

WHY ILLINOIS MATTERS

Recorded-message dialer calls carry \$500 per violation plus treble damages and fees. Live callers must ask for consent at the start. Illinois has no state registry, and false Internet caller ID is barred.



Who and what is covered

The two calling acts split the field. The ITSA "shall not apply to telephone calls made by an autodialer," except its caller ID rule (815 ILCS 413/20(a)).

Text messages

Neither act mentions texts. Whether a text is a "recorded message" is unsettled.

Aa. **ATDA**

Dialers connecting a recorded sales message.

Bb. **ITSA**

Live operators soliciting a sale of goods.

Cc. **Exempt**

Banks, insurers, carriers, realtors (ITSA).





Consent on every call

Illinois requires consent on both kinds of calls. The live-call consent question at the start of the call has no federal counterpart.

Prerecorded messages

It is a violation to play an autodialed prerecorded message without the called party's consent.

Live-operator calls

Ask at the start whether the person consents, and stop the solicitation if they do not.

01. No state registry

P.A. 100-621 (2018)

The Restricted Call Registry Act was repealed effective July 20, 2018. The national registry governs.

02. Removal on live calls

815 ILCS 413/15(B)(3)

When asked, stop calling and remove the person's name and number from the contact records.

DO-NOT-CALL

Do-not-call and opt-outs

IN PRACTICE

The removal duty has no time limit, so on its face a request bars calls permanently. Complying with TSR § 310.4(b) counts as compliance. The federal rule honors requests for five years.



Two calling windows

Illinois sets separate hours for dialers and live calls. Neither statute says whose local time controls.

9

a.m. dialer start

No autodialer calls between 9 p.m. and 9 a.m., an hour later than federal law (305/15(a)).



Live sales calls

No live sales calls between 9 p.m. and 8 a.m.



Federal window

8 a.m. to 9 p.m. at the called party's location.

Autodialers and caller ID

An autodialer stores numbers and is programmed to access them "sequentially or randomly" to connect a recorded message. No number generator is required, unlike Duguid.

Narrower in one way

A dialer connecting live agents, with no recording, does not appear covered.

Aa. **30 seconds** Disconnect within 30 seconds after the call ends.

Bb. **No order** No dialing by successively rising or falling numbers.

Cc. **Caller ID** Never impede it; no knowing false Internet caller ID.



Records and payments

Autodialer operators sending commercial messages keep a list of every number called and records to support any exemption they claim.

Every

Number logged

A list of all telephone numbers called (815 ILCS 305/22(a)).



Bank drafts

Express written consent before drawing a check on any account.



No registration

No telemarketer registration or bond was identified.

Lawsuits and penalties



\$500

ATDA statutory damages per violation, plus treble actual damages and fees.

The ITSA gives treble actual damages only.

\$50,000

Consumer Fraud Act penalty, per violation with intent to defraud, plus \$10,000 for victims 65 or older.

3 years

For Consumer Fraud Act claims. The ATDA and ITSA set no period of their own.





Illinois vs. the TCPA

Illinois adds an autodialer test based on how stored numbers are accessed, a 9 a.m. dialer start, a live-call consent question and fee shifting.

Illinois

\$500 plus treble actual damages and fees under the ATDA; consent asked live.

Federal TCPA

\$500 to \$1,500 per call, no fee shifting, number generator for autodialers.

Key court rulings

In *Moore v. CHW Group* (N.D. Ill. 2019), an ITSA claim was dismissed because the complaint did not say a live operator made the calls or failed to ask for consent.

Showers v. Pelican, 2026

A disputed autodialer allegation did not defeat the ITSA claim (S.D. Ill.).

Aa. **Moore**

Plead what the live operator said or failed to say.

Bb. **Showers**

Cell phone users may be residential subscribers.

Cc. **Lesson**

Document whether each campaign is live or dialed.



Amendment history



2007

P.A. 95-331

Current ITSA text reflects this act and earlier ones.

2013

P.A. 98-546

Added ATDA records and \$500 statutory damages.

2018

P.A. 100-621

Repealed the Restricted Call Registry Act.

2027

P.A. 104-854

Unrelated Section 2Z change; calling acts kept.

01. Dialed calls

815 ILCS 305/15, 305/22, 305/30

- Call 9 a.m. to 9 p.m.; get consent first.
- Disconnect within 30 seconds.
- No sequential dialing or emergency numbers.
- Log every number and exemption.

02. Live calls

815 ILCS 413/15, 413/25

- Call 8 a.m. to 9 p.m.; give name, business, purpose.
- Ask for consent; honor removals for good.
- Get written consent for drafts; show true caller ID.

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

ILLINOIS LAW

[815 ILCS 305](#) Automatic Telephone Dialers Act

[815 ILCS 413](#) Telephone Solicitations Act

[815 ILCS 517](#) Internet Caller Identification Act

[815 ILCS 402](#) Restricted Call Registry Act (repealed)

[815 ILCS 505](#) Consumer Fraud Act

CASE LAW

[Moore v. CHW Group, Inc.](#) (N.D. Ill. 2019)

[Showers v. Pelican Investment Holdings Group](#) (S.D. Ill. 2026)

FEDERAL LAW

[47 U.S.C. § 227](#) TCPA

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

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

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

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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 Illinois guide on TCPA.com

The guide covers both calling acts, calling hours, consent, autodialers, caller ID, remedies, key rulings and a compliance 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.

[Read more from Adam at TCPA.com](#)

[TCPA.com author page](#)

[Website: adamyoun.com](#)

[LinkedIn: linkedin.com/in/capitalist](#)

[Instagram: @adamyoun](#)

[X: @arbitrage](#)

[YouTube: @adamyoun](#)



Harrison Gevirtz

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.

[Read more from Harrison at TCPA.com](#)

[TCPA.com author page](#)

[Instagram: @affiliate](#)