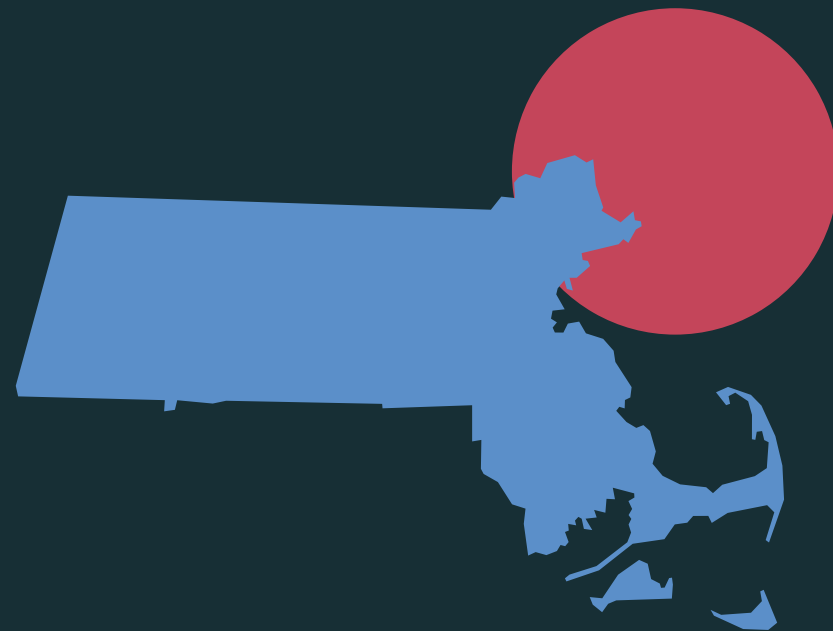


STATE TELEMARKETING LAWS

Massachusetts

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/massachusetts/>

01. Telemarketing Solicitation Act

M.G.L. C. 159C, §§ 1 TO 14

Bans unsolicited sales calls to registry numbers, between 8 p.m. and 8 a.m., by fax or by recorded message device, and bans caller ID blocking.

02. Do Not Call Registry rules

201 CMR 12.00

Annual OCABR registration by January 1, a paid state list with quarterly updates, and a 60-day effective date for new listings.

AT A GLANCE

Massachusetts at a glance

WHY MASSACHUSETTS MATTERS

A consumer who gets more than one unlawful call in 12 months can recover actual loss or up to \$5,000 per knowing violation, and the prevailing party, on either side, is awarded attorney fees.



Who and what is covered

A "telephone solicitor" is anyone, or a subsidiary or affiliate, doing business in Massachusetts who "makes or causes to be made" a telephonic sales call, including calls from outside the state.

Text messages

A solicitation is "the initiation of a telephone call or message," which can be read to include texts. No appellate decision was located.

Aa. **Excluded**

Calls with written or verbal permission, by tax-exempt nonprofits, and polls.

Bb. **Customers**

Existing customers within 24 months, unless they have opted out.

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Cc. **Products**

Goods and services include stocks, bonds, annuities and other financial products.





No recorded sales calls

The MTSA bans any unsolicited telephonic sales call "by use of a recorded message device" (M.G.L. c. 159C, § 3(iv)). The ban has no consent mechanism of its own.

Permission exclusion

A call made with prior express written or verbal permission is not a solicitation at all.

Federal consent rules

Federal law still requires prior express written consent for prerecorded telemarketing.

01. Massachusetts registry

M.G.L. C. 159C, §§ 2, 3, 7

A separate state list that also includes Massachusetts enrollees in the national registry, updated at least quarterly.

02. List compilers

M.G.L. C. 159C, §§ 5, 11

Anyone selling contact lists to solicitors must remove listed numbers. Registry data is used only for compliance.

DO-NOT-CALL

Do-not-call and opt-outs

IN PRACTICE

Enrollment takes effect 60 days after a listing first appears in a quarterly registry, and listings do not expire. Home and cell numbers may be added free; business numbers may not.



Calling hours end at 8 p.m.

Unsolicited telephonic sales calls may not be "received between the hours of 8:00 p.m. and 8:00 a.m., local time, at the consumer's location" (M.G.L. c. 159C, § 3(ii)).

8

p.m. cutoff

One hour earlier than the federal 9 p.m. limit. The morning start stays at 8 a.m.

No Sunday rule

Massachusetts has no Sunday or holiday restriction and no frequency cap for live calls.

Unsolicited only

Calls to existing customers or at the consumer's request follow the federal limits.

Autodialers and caller ID

M.G.L. c. 159, § 19B uses the federal random or sequential number generator language and adds that the equipment must be able to deliver a prerecorded message.

First-minute disclosures

Sales purpose, telemarketing company, ultimate seller, and a full description with retail market value.

Aa. **Dialers**

Do not dial numbers on carrier objection lists; release the line in 5 seconds.

Bb. **Caller ID**

No intentional blocking device or service to defeat caller ID (§ 4).

5

Cc. **Residences**

State the sales purpose, identity and trade name before anything but a greeting.



Registration and list fee

Every telephone solicitor making unsolicited sales calls to Massachusetts consumers must register with OCABR each year and have an approved registration before calling.

\$1,100

Annual list fee

For the emailed state list, according to OCABR, plus the annual registration fee.



By January 1

Names, address, agent for service and an officer's compliance statement. No bond is required.



Quarterly lists

Updates on January 1, April 1, July 1 and October 1. Load each one.



Private lawsuits



\$5,000

Actual loss or up to \$5,000 per knowing violation, after more than one call in 12 months.

3 years

From when the consumer knew or should have known. Chapter 93A claims have four years.

Fees

The prevailing party, on either side, is awarded fees. Due care procedures are a defense.





Massachusetts vs. the TCPA

Massachusetts is stricter on registration, the paid state list, the 8 p.m. cutoff, recorded messages and disclosures, with up to \$5,000 per knowing violation. It is looser on existing customers (24 months), listing timing and verbal permission, with two-way fee risk.

Massachusetts

State list and registration, calls end at 8 p.m., no recorded sales calls, up to \$5,000 per knowing violation.

Federal TCPA

National registry only, calls end at 9 p.m., written consent for robocalls, \$500 per violation.

Key court rulings

Two District of Massachusetts decisions address who can be liable under the MTSA and how strictly its three-year limitations period runs.

Appellate courts

No SJC or Appeals Court decision construing the damages provision or its application to texts was located.

Aa. **Python**

D. Mass. 2025: an owner-officer's control of the caller stated §§ 3 and 4 claims.

Bb. **Benefytt**

D. Mass. 2023: the MTSA claim was time-barred under § 10.

Cc. **93A**

A 93A claim resting only on dismissed TCPA and MTSA claims fell with them.

23



Key dates



2017

201 CMR 12.00

Current registry regulations dated October 18, 2017.

2023

Benefytt

Three-year MTSA limitations period applied strictly.

2025

Python Leads

Individual officer liability claims proceed. H.4812 reported favorably.

2026

H.363 stalls

Mobile robocall bill sent to a study order on February 11, 2026.



01. Registry and hours

M.G.L. C. 159C, §§ 3, 4; 201 CMR 12.04

- Register with OCABR by January 1 each year.
- Load each quarterly list plus the national registry.
- End unsolicited sales calls at 8 p.m.
- No recorded message or fax sales calls.

02. Scripts and records

M.G.L. C. 159C, §§ 5A, 9

- First minute: purpose, company, seller, retail value.
- Send accurate caller ID; never block or spoof.
- Keep due care procedures and training records.

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)

MASSACHUSETTS LAW

[M.G.L. c. 159C, § 1](#) definitions

[M.G.L. c. 159C, § 2](#) listing

[M.G.L. c. 159C, § 3](#) prohibitions

[M.G.L. c. 159C, § 4](#) caller ID

[M.G.L. c. 159C, § 5](#) list compilers

[M.G.L. c. 159C, § 5A](#) disclosures

[M.G.L. c. 159C, § 7](#) national database

[M.G.L. c. 159C, § 8](#) enforcement

[M.G.L. c. 159C, § 9](#) defense

[M.G.L. c. 159C, § 10](#) limitations

MASSACHUSETTS LAW (CONTINUED)

[M.G.L. c. 159C, § 11](#) confidentiality

[M.G.L. c. 159C, § 12](#) jurisdiction

[M.G.L. c. 159C, § 13](#) cumulative remedies

[M.G.L. c. 159, § 19B](#) autodialer definition

[M.G.L. c. 159, § 19C](#) objection list

[M.G.L. c. 159, § 19D](#) autodialer use

[M.G.L. c. 159, § 19E](#) residential solicitations

[M.G.L. c. 93, § 48](#) cancellation

[M.G.L. c. 93A, § 2](#) unfair practices

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

Sources continued (2 of 2)

MASSACHUSETTS LAW (CONTINUED)

[M.G.L. c. 93A, § 4](#) AG actions

[M.G.L. c. 93A, § 9](#) private actions

[M.G.L. c. 260, § 5A](#) consumer limitations

[201 CMR 12.00](#) Do Not Call Registry regulations

[OCABR: Do Not Call Registry](#)

[H.363 \(194th General Court\)](#)

[H.4812 \(194th General Court\)](#)

COURT DECISIONS

[Doane v. Python Leads, LLC](#), No. 1:24-cv-12947 (D. Mass. 2025)

[Doane v. Benefytt Technologies, Inc.](#), No. 1:22-cv-10510 (D. Mass. 2023)

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. § 310.4](#) TSR abusive practices

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

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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 Massachusetts guide on TCPA.com

The guide covers the state registry, registration, calling hours, the recorded message ban, private lawsuits and a compliance checklist, with links to the official 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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