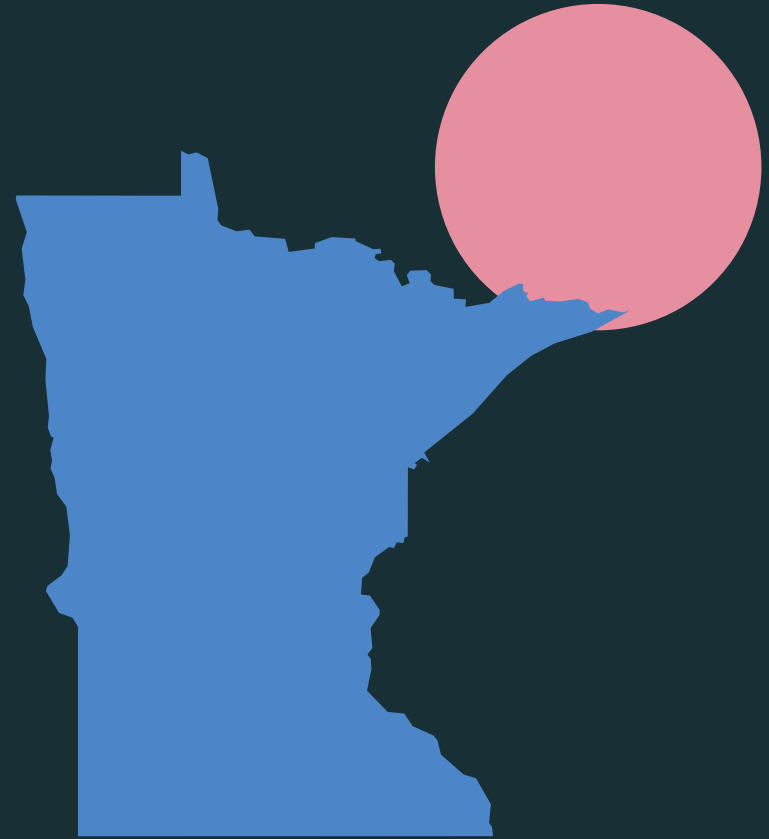


STATE TELEMARKETING LAWS

Minnesota

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/minnesota/>

01. ADAD law

MINN. STAT. 325E.26 TO 325E.31

Recorded message calls need consent or a live operator first, end by 9 p.m., and carry an AG penalty of up to \$50,000.

02. Seller disclosure law

MINN. STAT. 325G.12 TO 325G.14

Telephone sellers must give their name, business, goods and sales purpose before asking any question.

AT A GLANCE

Minnesota at a glance

WHY MINNESOTA MATTERS

Minnesota's robocall consent rule covers every caller and every message, on home and business lines, and calls may not start before 9 a.m.



Who and what is covered

An automatic dialing-announcing device (ADAD) "selects and dials telephone numbers" and plays a prerecorded or synthesized voice message to the number called.

Not covered

Live calls from a predictive dialer and marketing texts fall outside the ADAD law. Federal rules still apply.

Aa. **Callers**

Any person or entity contacting a subscriber in Minnesota, not only sellers.

Bb. **Messages**

"Any call, regardless of its content," including political and survey calls.

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Cc. **Lines**

Any subscriber, so business lines are protected as well as homes.





Consent or a live operator

A caller may not use an ADAD unless the subscriber has consented, or a live operator first obtains consent before the message plays (Minn. Stat. 325E.27(a)).

Subscriber consent

Knowing or voluntary consent with no writing required. Federal written consent still applies.

Live operator path

The operator names the entity, purpose, goods and any request for funds before the message.

01. State list expired

MINN. STAT. 325E.311 TO 325E.316

The 2002 Telephone Solicitation Regulation Act expired at the end of 2012 under a 2009 sunset clause.

02. Federal registry rules

47 C.F.R. § 64.1200; 16 C.F.R. PART 310

Scrub against the National Do Not Call Registry and honor internal do not call requests.

DO-NOT-CALL

Do-not-call is federal

IN PRACTICE

Minnesota has had no state do not call list since December 31, 2012. The ADAD consent rule still restricts recorded calls whether or not a number is registered.



Calling hours start at 9 a.m.

"A caller shall not use an automatic dialing-announcing device nor make any commercial telephone solicitation before 9:00 a.m. or after 9:00 p.m." (Minn. Stat. 325E.30).

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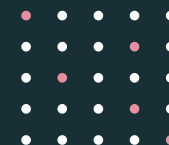
a.m. earliest call

One hour later than the federal 8 a.m. start. Use the subscriber's local time.



Recorded calls

Every ADAD call, whatever its content, unless an exemption applies.



Live sales calls

Calls to residential subscribers with no prior business or personal relationship.

Disconnect and disclosures

An ADAD must be "designed and operated so as to disconnect within ten seconds after termination of the telephone call by the subscriber" (Minn. Stat. 325E.28).

Caller ID and texts

Minnesota has no caller ID or text message statute, so federal law governs both.

Aa. **Disconnect**

Federal law requires release within 5 seconds, so plan for 5.

Bb. **Seller ID**

Seller's name, business, goods and sales purpose before any question.

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Cc. **Deception**

False affiliations and unfair practices violate 325F.69 and 325D.44.



Attorney General enforcement

Since 2023, the Attorney General may sue for a separate civil penalty against anyone found to have violated the ADAD rules in sections 325E.27 to 325E.30.

\$50,000

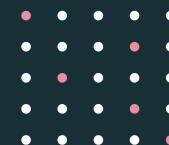
ADAD civil penalty

The maximum the court may set, on top of the section 8.31 remedies.



Section 8.31 penalty

Injunctions and a civil penalty of up to \$25,000, plus investigation.



No criminal offense

The ADAD statute creates civil remedies only.

Private lawsuits



Damages

Actual damages only.
Minnesota has no fixed per-call amount like the TCPA's \$500.

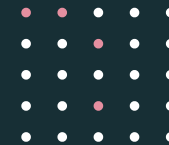
Fees

Costs, investigation costs and reasonable attorney fees under section 8.31.

6 years



The period commonly applied to statutory claims.
Suits must benefit the public.



Minnesota vs. the TCPA

Minnesota is stricter on who and what the robocall rule covers, business lines, the 9 a.m. start and seller disclosures. It is looser on consent, the live operator path, the 10-second disconnect and damages.

Minnesota

Every recorded call needs consent, calls start at 9 a.m., AG penalty up to \$50,000.

Federal TCPA

Written consent for robocalls, calls start at 8 a.m., \$500 per violation.

Key court rulings

Federal courts have twice upheld the ADAD law against political callers and held that the TCPA does not preempt it.

Minnesota Supreme Court

Casino Marketing Group (Minn. 1992) reportedly upheld the law under commercial speech review. The full opinion was not reviewed.

Aa. **Van Bergen**

8th Cir. 1995: content neutral and not preempted by the TCPA.

Bb. **Gresham**

8th Cir. 2017: Van Bergen still controls; veterans exception severable.

1995

Cc. **Securus**

D. Minn. 2015: a system that does not select and dial is not an ADAD.



Key dates

1987

ADAD law enacted

Consent rule for recorded message calls.



2002

State do not call

Telephone Solicitation Regulation Act enacted.



2012

State list expires

Sunset on December 31 under a 2009 clause.



2023

\$50,000 penalty

AG ADAD penalty and consumer fraud updates.

01. Recorded calls

MINN. STAT. 325E.27 TO 325E.30

- Get consent for every recorded call.
- Or have a live operator ask first.
- Call only 9 a.m. to 9 p.m. local time.
- Release the line within 5 seconds.

02. Live sales calls

MINN. STAT. 325G.13; 325F.69

- Scrub against the national registry.
- Give your name, business and goods first.
- Treat business lines as protected.

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)

MINNESOTA LAW

[Minn. Stat. 325E.26](#) ADAD definitions

[Minn. Stat. 325E.27](#) consent

[Minn. Stat. 325E.28](#) disconnect

[Minn. Stat. 325E.29](#) operator disclosures

[Minn. Stat. 325E.30](#) calling hours

[Minn. Stat. 325E.31](#) remedies

[Minn. Stat. 325E.312](#) expired do not call law

[Minn. Stat. 325E.3161](#) expiration clause

[Minn. Stat. 325E.318](#) wireless directories

MINNESOTA LAW (CONTINUED)

[Minn. Stat. 325E.395](#) fax advertising

[Minn. Stat. 325G.06](#) home solicitation

[Minn. Stat. 325G.07](#) cancellation

[Minn. Stat. 325G.12](#) definitions

[Minn. Stat. 325G.13](#) seller disclosure

[Minn. Stat. 325G.14](#) remedies

[Minn. Stat. 325F.69](#) consumer fraud

[Minn. Stat. 325F.70](#) enforcement

[Minn. Stat. 325D.44](#) deceptive practices

[Minn. Stat. 8.31](#) AG and private remedies

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

Sources continued (2 of 2)

MINNESOTA LAW (CONTINUED)

[Minn. Stat. 541.05](#) limitations

[Laws 2009, ch. 178](#)

[Laws 2023, ch. 57](#)

[Laws 2023, ch. 52](#)

COURT DECISIONS

[Van Bergen v. Minnesota](#), 59 F.3d 1541 (8th Cir. 1995)

[Gresham v. Swanson](#), 866 F.3d 853 (8th Cir. 2017)

[Smith v. Securus Technologies, Inc.](#), 120 F. Supp. 3d 976 (D. Minn. 2015)

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](#) Telemarketing Sales Rule

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

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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 Minnesota guide on TCPA.com

The guide covers the robocall consent rule, calling hours, do not call, disclosures, penalties, key court rulings and a compliance checklist, with 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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