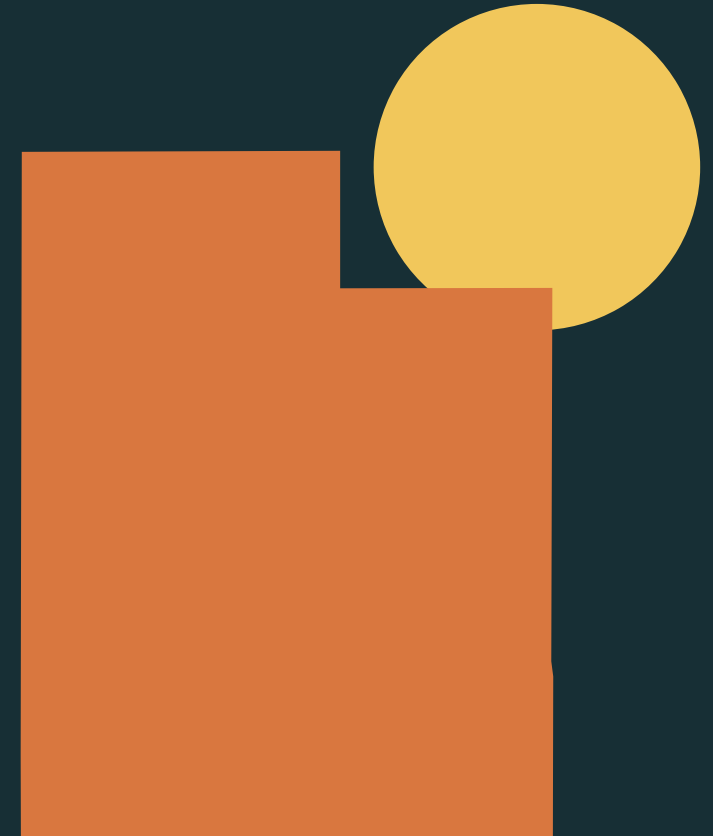


STATE TELEMARKETING LAWS

Utah

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/utah/>

01. Telephone and Fax Solicitation Act

UTAH CODE §§ 13-25a-102 TO 13-25a-111

Dialer ban with consent and relationship exceptions, hours, Sundays and holidays, disclosures, caller ID, the national registry and a private action.

02. Telephone Fraud Prevention Act

UTAH CODE §§ 13-26-101 TO 13-26-108

Annual seller registration, a \$25,000 to \$75,000 bond, a background check, oral disclosures and a three-business-day right to cancel.

AT A GLANCE

Utah at a glance

WHY UTAH MATTERS

Utah bans solicitations on Sundays and legal holidays, covers prerecorded-message dialers that Duguid leaves out, and makes any TCPA violation a state violation. One bad call can support a suit for \$500 plus fees.



Who and what is covered

"Telephone solicitation" means "the initiation of a telephone call or message for a commercial purpose or to seek a financial donation," including asks to sell property (§ 13-25a-102(8)).

Texts through the TCPA

The statute does not name texts, but a marketing text that violates the TCPA also violates § 13-25a-103(4).

Aa. **Callers**

Solicitors calling residential or cell phones; sellers calling into or from Utah register.

Bb. **Unsolicited**

Excludes express requests, open debts, business relationships and medical calls.

Cc. **Exempt**

Insurance, real estate and securities licensees acting within their licenses.

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Consent for automated calls

No one may operate an automated telephone dialing system to make a telephone solicitation, unless the call has prior express consent or goes to a business relationship (§ 13-25a-103(1), (2)).

Specific solicitor

Consent must agree to calls from a specific solicitor. The statute does not require it in writing, but federal law does.

Relationship route

A business relationship also opens the dialer ban. It lasts 18 months, for inquiries as well as purchases.

01. National registry as state law

UTAH CODE § 13-25a-108

No unsolicited call to a person in Utah at a Utah number on the National Do Not Call Registry. The statute has no scrub safe harbor.

02. Company-specific requests

UTAH CODE § 13-25a-107.2

Honor oral or written requests not to be called. Following 16 C.F.R. 310.4(b)(3) and (4) is a defense to this section.

DO-NOT-CALL

Do-not-call and opt-outs

IN PRACTICE

Utah keeps no state list. A call to a non-Utah number on the registry is also covered when the caller knows or should know the person is in Utah. Each call is a separate violation.



Calling hours and holidays

No telephone solicitation to a residential or cell phone without prior express consent between 9 p.m. and 8 a.m. local time, on a Sunday or on a legal holiday (§ 13-25a-103(3)).

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Calling days a week

Monday to Saturday only, and never on a legal holiday, unless the consumer gave prior express consent.

8 a.m. to 9 p.m.

The daily window matches federal law, measured in local time.



Sundays and holidays

No federal counterpart. One call in violation supports a private action.

Autodialers and caller ID

Utah's automated dialing system stores or produces numbers, calls them and connects to a recorded message or artificial voice. It needs no random or sequential number generator.

Wider than Duguid

List-based prerecorded dialers outside the federal ATDS after Duguid are covered; live-agent predictive dialers appear not to be.

Aa. **Identify**

Solicitor, business and purpose; stop at once on a negative response.

Bb. **Disconnect**

Hang up or release the dialer within 25 seconds of the hang-up.

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Cc. **Caller ID**

Never withhold the solicitor's number; no fictitious personal names.



Registration and bonding

Unless exempt, a seller registers annually with the Division of Consumer Protection before solicitations that originate or are received in Utah, with a Utah registered agent, fingerprints and a background check.

\$75,000

Top bond amount

A surety bond or Utah certificate of deposit, if the seller violated the chapter in the past three years.



\$25,000 or \$50,000

With no violations in 3 years: \$25,000 under 10 employees, \$50,000 at 10 or more.



Cancel in 3 days

Three business days to cancel; 90 days, or any time, if disclosures are missing.

Private lawsuits



\$500

Or the pecuniary loss, if greater, plus fees and costs. One call is enough for dialer, hours, disclosure and caller ID rules.

Notice

Registry, company-specific and TCPA-based claims need two calls and an objection after the first.

Treble

For a knowing, willful violation, treble pecuniary loss; on-call emergency providers get at least \$1,000.





Utah vs. the TCPA

Utah is stricter on registration and bonds, Sundays and holidays, its wider dialer definition, fees and single-call suits. It is looser in letting a business relationship open the dialer ban and in not requiring written consent.

Utah

No Sundays or holidays, \$25,000 to \$75,000 bond, prerecorded dialers covered, attorney fees.

Federal TCPA

Calls every day, no bond, ATDS limited by Duguid, written consent, no fee shifting.

Key court ruling

In Flagship Capital (2005), the Division cited an out-of-state telemarketer for a call to a Utah resident. The Utah Supreme Court reversed a TCPA preemption ruling.

Stricter, not conflicting

"A telemarketer who complies with the Utah standards will have little difficulty complying with the federal standards."

Aa. **Holding**

The TCPA does not preempt the dialer ban or the seller registration rule.

Bb. **Field**

Congress did not mean the TCPA to occupy interstate telemarketing.

2005

Cc. **Practice**

Callers can identify Utah calls and conform them, or skip them.



Recent amendments



Ch. 289

Amended § 13-25a-107,
including on-call emergency
provider damages.



Ch. 324

Amended § 13-25a-103, the
solicitation rules, effective May
4, 2022.



Ch. 102

Amended definitions and
exemptions, effective May 1,
2024.



SB 38

Renumbered ch. 13-26,
revised bonds, added
disclosures, effective May 6.

01. Registration and timing

UTAH CODE §§ 13-26-102, 13-25a-103(3)

- Register yearly, post the bond and renew 30 days early.
- No Sundays, holidays, or calls outside 8 a.m. to 9 p.m.
- Give legal name, phone, mailing address and email.
- Explain the 3-day cancel right; refund within 30 days.

02. Dialers, ID and lists

UTAH CODE §§ 13-25a-103, 13-25a-108

- No prerecorded dialer without consent or a relationship.
- Show your number; stop on a no; release in 25 seconds.
- Scrub the registry; honor oral and written requests.

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

UTAH LAW

[Utah Code ch. 13-25a](#) Telephone and Facsimile Solicitation Act

[Utah Code § 13-25a-102](#) definitions

[Utah Code § 13-25a-103](#) solicitation rules

[Utah Code § 13-25a-107](#) private action

[Utah Code § 13-25a-108](#) national registry

[Utah Code ch. 13-26, part 1](#) Telephone Fraud Prevention Act

[S.B. 38 \(2026\)](#) enrolled copy

COURT DECISIONS

[Utah Div. of Consumer Prot. v. Flagship Capital](#), 2005 UT 76

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 Utah guide: <https://tcpa.com/state-telemarketing-laws/utah/>

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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 Utah guide on TCPA.com

The guide covers the dialer ban, calling hours, Sundays and holidays, registration and bonds, cancellation, the private action and Flagship Capital, 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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