

STATE TELEMARKETING LAWS

Virginia

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/virginia/>

01. Telephone Privacy Protection Act

VA. CODE §§ 59.1-510 TO 59.1-518.01

Calling hours, identification, caller ID, abandoned calls, 10-year do-not-call requests, the national registry and joint seller liability.

02. Automatic dialing-announcing devices

VA. CODE §§ 59.1-518.1 TO 59.1-518.4

Consent or a live-operator introduction for recorded sales messages, and a five-second disconnect, enforced under the VCPA.

AT A GLANCE

Virginia at a glance

WHY VIRGINIA MATTERS

Damages escalate from \$500 to \$5,000 per violation, with fees, and one call to a registered number is enough. Since January 1, 2026, marketing texts are covered, and sellers are presumed liable for vendors.



Who and what is covered

A "telephone solicitation" is a call to a Virginia home, a Virginia area code or a resident's phone, or a text to such a wireless phone, to offer goods, services or credit (§ 59.1-510).

No registration or list

Virginia requires no telemarketer registration or bond and keeps no state do-not-call list.

Aa. **Solicitors**

Anyone who makes or causes a solicitation, for itself or a seller.

Bb. **Sellers**

The person whose goods or services the call or text offers or advertises.

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Cc. **Outside**

Charitable and political calls, unless they offer something for sale.





Marketing texts since 2026

STOP

Chapter 626 of the 2025 Acts brought texts to Virginia area code or resident wireless phones into the VTPPA from January 1, 2026. Hours, registry and remedy rules apply to texts.

Reply to opt out

A reply of "UNSUBSCRIBE" or "STOP" is a do-not-call request, honored at least 10 years. Honor every federal method too.

Caller ID for texts

The sending number must accept a reply-text opt-out. Whether the § 59.1-514(D) exemptions reach texts is open.

01. Requests last 10 years

VA. CODE § 59.1-514(A)

No solicitation to a number where a person said they do not want calls from that seller. Honor it at least 10 years, twice the federal 5.

02. National registry

VA. CODE § 59.1-514(B) TO (D)

No solicitation to a registered number, except with a signed written agreement, or a business or personal relationship not ended by opt-out.

DO-NOT-CALL

Do-not-call and opt-outs

IN PRACTICE

Unlike the federal private claim, one call to a registered number is actionable. A due-care safe harbor covers callers using a registry copy no more than 31 days old.



Calling hours and texts

No telephone solicitation outside 8:00 a.m. to 9:00 p.m. local time at the contacted person's location, unless the solicitor obtained prior consent (§ 59.1-511).

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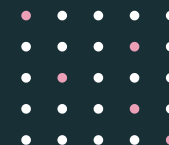
Last call, 9 p.m.

A violation carries VTPPA damages of \$500 to \$5,000, not only a federal rule.



8 a.m. to 9 p.m.

Measured at the contacted person's location; the window matches federal law.



Texts too

Since January 1, 2026, the hours rule covers marketing texts.

Robocalls and caller ID

An automatic dialing-announcing device "selects and dials telephone numbers" and plays a prerecorded or synthesized voice. It needs no random or sequential number generator, unlike Duguid.

Consent or live operator

The subscriber consented, or a live operator first names the sender, purpose and goods and gets consent (§ 59.1-518.2).

Aa. **Disconnect**

Any recorded-message device must hang up within 5 seconds.

Bb. **Transmit**

Send the number and name; the number must take do-not-call requests.

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Cc. **No spoofing**

No blocking and no false or misleading caller ID display.



Identity and abandoned calls

On voice calls, the solicitor gives their first and last names and the seller's name promptly on contact (§ 59.1-512), which goes further than federal law.

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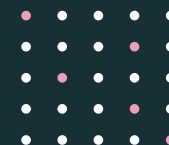
Seconds to connect

If no live representative can speak within two seconds of the greeting, play the message (§ 59.1-513.1).



Play an ID message

Name and number of the seller, with a number that takes do-not-call requests.



No rate cap

Federal rules also cap abandoned calls at 3 percent per 30-day campaign.

Private lawsuits



\$500

For a first violation, \$1,000 for a second; willful first or second violations up to \$5,000. Fees and costs.

\$5,000

For each later violation. The AG and localities can sue on the same schedule, plus civil penalties.

Joint

Seller and solicitor are jointly liable; the seller rebuts only by clear and convincing evidence.





Virginia vs. the TCPA

Virginia is stricter on damages, single-call registry claims, 10-year opt-outs, seller liability, first and last names and its device definition. It is looser on text opt-out words, abandonment rates and robocall consent form.

Virginia

\$500 to \$5,000 per violation, fees, one registry call is enough, 10-year opt-outs.

Federal TCPA

\$500 per violation, up to \$1,500 if willful, two registry calls, 5-year opt-outs.

Key court ruling

In *Gonzalez v. Homefix* (E.D. Va. 2023), the court sent a TCPA and VTPPA do-not-call class action to the District of Maryland, where similar class actions were pending.

State-law equivalent

The court called the Virginia claim "merely the state-law equivalent of the federal TCPA claims," based on the same conduct.

Aa. **Transfer**

First-to-file rule and 28 U.S.C. § 1404(a); substantial overlap.

Bb. **One call**

The VTPPA class needed only a single call to a registered number.

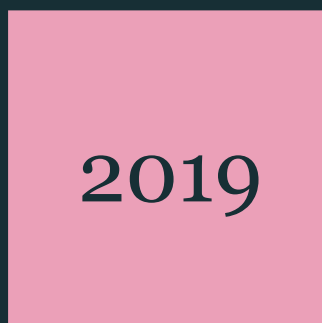
1

Cc. **No list**

"The VTPPA does not create a separate, Virginia Do-Not-Call registry."



Recent amendments



Joint liability

Ch. 256 and 264 added § 59.1-514.1 and its rebuttable presumption.



Ch. 263, 607

Amended the definitions, caller ID and remedy sections.



Home sales

Ch. 301 and 302 amended the home solicitation sale definition.



Texts covered

Ch. 626 of 2025 took effect Jan. 1, 2026. H.B. 743 (2026) was not enacted.

01. Calls, texts and lists

VA. CODE §§ 59.1-510 TO 59.1-514

- Cover Virginia area codes, homes and residents' phones.
- Call or text 8 a.m. to 9 p.m. unless you have prior consent.
- Scrub every 31 days; keep opt-outs at least 10 years.
- Honor STOP and UNSUBSCRIBE and all federal methods.

02. Callers, devices and sellers

VA. CODE §§ 59.1-512, 59.1-514.1, 59.1-518.2

- Give first and last names; play the 2-second message.
- Get consent before recorded messages; release in 5 seconds.
- Sellers: audit vendors; you are presumed liable.

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)

VIRGINIA LAW

[Va. Code tit. 59.1, ch. 44](#) Telephone Privacy Protection Act

[Va. Code § 59.1-510](#) definitions

[Va. Code § 59.1-511](#) calling hours

[Va. Code § 59.1-512](#) identification

[Va. Code § 59.1-513](#) caller ID

[Va. Code § 59.1-513.1](#) abandoned calls

[Va. Code § 59.1-514](#) do-not-call

[Va. Code § 59.1-514.1](#) joint liability

[Va. Code § 59.1-515](#) private action

[Va. Code § 59.1-516](#) investigations

VIRGINIA LAW (CONTINUED)

[Va. Code § 59.1-517](#) public enforcement

[Va. Code § 59.1-518](#) other remedies

[Va. Code tit. 59.1, ch. 44.1](#) automatic dialing-announcing devices

[Va. Code § 59.1-200](#) VCPA prohibited practices

[Va. Code § 59.1-204](#) VCPA private action

[Va. Code § 59.1-204.1](#) VCPA limitations

[Va. Code § 59.1-206](#) VCPA civil penalties

[Va. Code §§ 59.1-21.2 to 59.1-21.4](#) Home Solicitation Sales Act

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

Sources continued (2 of 2)

VIRGINIA LAW (CONTINUED)

[Va. Code § 8.01-248](#) limitations catch-all

[2025 Acts, ch. 626 \(S.B. 1339\)](#) texts

[H.B. 743 \(2026\)](#) introduced

COURT DECISIONS

[Gonzalez v. Homefix Custom Remodeling Corp.](#), No. 1:23-cv-192 (E.D. Va. Apr. 26, 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. Part 310](#) FTC Telemarketing Sales Rule

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

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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 Virginia guide on TCPA.com

The guide covers the VTPPA, marketing texts, calling hours, do-not-call, robocall devices, joint liability, damages and key rulings, 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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