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The Telemarketing Licensing Guide

Most states - well over 30 - now require telemarketing call centers to obtain a license before they begin operating. These states include most of the largest states in the country, including California, New York, Florida and Texas.

Although marketers often assume that a license in their home state is all they need, these licenses are generally required whenever calling into (or from) any of these states.

In some states, the penalties for failing to register can be very steep: Both civil (fines and injunctions) as well as criminal penalties can apply.

The specific requirements for licensure vary from state to state, but all of them require detailed information about the company, its products or services and its principals.

Most states also charge a filing fee and *require a bond*. In some, the individual sales reps must be licensed as well.

All licensing states exempt certain businesses from licensure.

Common exemptions apply to charities, business-to-business sales, or industries which are already regulated by other state or federal law. In some cases, exempt businesses must still obtain a certificate confirming or approving an exemption.

Because telemarketing is such a highly regulated industry, it is critical to be well-educated.

Both state and federal agencies oversee marketing practices, and since telemarketers usually reach across state lines, it becomes necessary to simultaneously adhere to laws in multiple jurisdictions. Among others, these include state and federal “Do-Not-Call” restrictions and the FTC’s Telemarketing Sales Rule, but state licensing is separate from all of these.

A good telemarketing lawyer will guide you on licensing requirements and can help prepare the necessary forms and documents needed for approval.

If you need help with licensing anywhere in the U.S. - or if you need help understanding and complying with any other state or federal telemarketing laws - call Andrew Cove and the other experienced attorneys at Cove Law for a free consultation.

Please Call Andrew Cove At 954-921-1121 For Your Free Consultation