

# 2025 Call Center Compliance Guide



# Executive Summary

Outbound call centers in the United States operate under a complex web of federal and state regulations designed to protect consumers' privacy and rights. This guide provides an educational overview of key laws – from the Telephone Consumer Protection Act (TCPA) and Telemarketing Sales Rule (TSR) to state “mini-TCPA” statutes – and outlines best practices for compliance. We also explore how modern call center technologies (e.g. compliance automation tools in dialing platforms) help automate compliance (scrubbing Do-Not-Call lists, managing consent, STIR/SHAKEN caller ID authentication, etc.), and review common violations and enforcement actions from 2023–2025. A compliance checklist and sample agent script guidelines are included to help call center managers, compliance officers, and directors in regulated industries (insurance, healthcare, finance, lead generation) maintain a **compliance-first** outbound operation. Throughout, we define legal terms in plain language and reference industry examples to illustrate how a compliance-first approach – as championed by CallShaper – can reduce risk while preserving efficiency.

## U.S. Legal Frameworks for Outbound Call Centers

Outbound calling is primarily governed by federal laws like the TCPA and TSR, supplemented by state laws (often called “mini-TCPAs”) and data privacy regulations. Below, we summarize each key framework in accessible terms:

### Telephone Consumer Protection Act (TCPA)

The Telephone Consumer Protection Act (TCPA), passed in 1991, is a federal law that sets clear boundaries for telemarketing activities. It is designed to protect consumers from unwanted calls, texts, and faxes, particularly when automated systems or prerecorded messages are used. To comply with the TCPA, businesses must obtain proper consent before contacting consumers through these methods<sup>[1]</sup>. Key requirements include:

- **Autodialed or Prerecorded Calls/Text Messages to Cell Phones:** To legally call or text a consumer's mobile phone using an autodialer or a prerecorded/artificial voice, you must have their explicit, written consent for marketing messages. For purely informational messages, oral consent may be sufficient, but maintaining a written record is always the best practice<sup>[2]</sup>.
- **Calls to Landline Phones:** Telemarketing calls using prerecorded messages to residential landlines also generally require prior consent, unless the call is purely informational or related to emergencies<sup>[3]</sup>. Even for live agent calls, if a consumer requests not to be contacted again, you must immediately place them on your internal do-not-call list and cease further outreach<sup>[4]</sup>.
- **Caller Identification and Opt-Out Options:** Telemarketers must clearly identify themselves and the business they represent at the beginning of a call. You must also provide a straightforward way for the recipient to opt out of future contacts. For prerecorded messages, this typically involves an automated opt-out option, while live agents should be trained to immediately process do-not-call requests<sup>[5]</sup>.
- **National Do Not Call (DNC) List Compliance:** Telemarketers are required to regularly scrub their contact lists against the National Do Not Call Registry, a database that allows consumers to opt out of most marketing calls. Calling numbers on this list without proper consent can lead to significant fines and legal action. It's critical to keep your contact lists current to avoid penalties for contacting DNC-listed numbers<sup>[6]</sup>.

## Telemarketing Sales Rule (TSR)

The Telemarketing Sales Rule (TSR), enforced by the Federal Trade Commission (FTC), provides additional consumer protections beyond the TCPA. It sets stricter rules for telemarketers, including specific disclosure requirements and limitations on call practices. Key provisions include:

- **Required Disclosures and Honest Sales Practices:** Telemarketers must clearly disclose the identity of the seller, the purpose of the call, and the terms of any offers being made. Deceptive or aggressive sales tactics are strictly prohibited<sup>[7]</sup>.
- **Limits on Call Abandonment:** The TSR sets a strict threshold for abandoned calls. No more than 3% of calls answered by a live person may be abandoned within a single calling campaign or over each 30-day period. An abandoned call occurs when the person answering is not connected to a live agent within two seconds, unless a recorded message is immediately played to identify the caller and provide a callback number<sup>[8]</sup>.
- **Accurate Caller ID Information:** Telemarketers must transmit accurate caller ID information, including the name of the seller and a working phone number that connects to someone who can respond to do-not-call requests. Misrepresenting or blocking caller ID information is illegal<sup>[9]</sup>.

## State “Mini-TCPA” Laws

In addition to federal regulations, many U.S. states have their own telemarketing laws that impose even stricter requirements. These are often referred to as “mini-TCPAs” because they mirror or expand upon federal rules. Key examples include:

- **Florida – Telephone Solicitation Act (FTSA):** Amended in 2023, Florida’s law places strict time-of-day restrictions on sales calls, limits the number of calls that can be made to a single person within a set timeframe, and requires written consent for automated calls and texts<sup>[10]</sup>.
- **Oklahoma – Telephone Solicitation Act (OTSA):** Effective in 2022, Oklahoma’s law closely mirrors Florida’s, including tight restrictions on call frequency and strong consent requirements for automated calls<sup>[11]</sup>.
- **Maryland – “Stop the Spam Calls Act of 2023”:** This law, effective January 1, 2024, sets clear limits on automated sales calls, requiring explicit consumer consent and imposing significant fines for violations. It also restricts the frequency of contact attempts and requires clear disclosures to consumers<sup>[12]</sup>.

## Federal Data Privacy Laws

While telemarketing is chiefly regulated by the TCPA/TSR, data privacy laws also impact call centers. Laws like the **California Consumer Privacy Act (CCPA)** and others mandate proper handling of consumer data (including phone numbers and call records). If your call center collects, buys, or shares consumer information, ensure compliance with applicable privacy statutes – for example, obtain consent for data sharing, honor consumer opt-out requests regarding data use, and safeguard personal data. Violations of data privacy laws can result in additional fines or litigation beyond the telemarketing-specific rules. Always keep data security and privacy best practices in mind when handling call lists and customer information.

## Best Practices for Compliance in Outbound Calling

Adhering to the law is not just about avoiding penalties – it also builds trust with consumers and improves call outcomes. Below are key best practices for maintaining a compliance-first approach in outbound call campaigns:

- **Obtain and Document Consent:** Always secure the appropriate level of consent before calling or texting prospects. For marketing calls to cell phones, this means prior express written consent. Maintain records of how and when each consumer's consent was obtained (e.g. web form timestamps, call recordings for verbal consent). In the event of a complaint or audit, this documentation is your first line of defense.
- **Scrub Against Do-Not-Call Lists:** Integrate National DNC Registry scrubbing into your dialing process. Update your calling lists against the national DNC list at least every 31 days (as required by FCC/FTC rules) and honor company-specific do-not-call requests immediately. Many dialing platforms (including CallShaper) automate DNC scrubbing in real time to ensure no prohibited calls are placed. Also be aware of state-specific DNC lists and time-zone calling restrictions when applicable.

- **Time-of-Day and Frequency Controls:** Configure your dialer to only place outbound calls during permissible hours – generally between 8:00 AM and 9:00 PM local time of the recipient (unless a stricter state law applies). As a best practice, you may want to narrow the window further (for example, 8:00 AM to 8:45 PM) to provide a safety buffer. Likewise, set rules to prevent excessive call attempts to the same number – e.g. no more than 2–3 attempts per number per day – to avoid triggering spam labeling or violating statutes like Florida’s 24-hour limit of 3 attempts.
- **Caller ID and Call-Blocking Compliance:** Use a valid, unblocked caller identification number that is reachable for callbacks. Where possible, have the recipient’s caller ID display your company’s name. **Do not spoof caller ID information** to mislead consumers – this is illegal under the Truth in Caller ID Act and related FCC rules <sup>[4]</sup>. Implement STIR/SHAKEN caller ID authentication on your outbound calls to improve call answer rates and comply with FCC requirements. (All U.S. voice service providers were required to implement **STIR/SHAKEN** in the IP portions of their networks by June 30, 2021 <sup>[17]</sup>.) This framework digitally certifies the call’s origin to combat spoofing. An “A” (Full) attestation means the originating carrier has verified the caller’s identity and right to use the number – such calls are less likely to be flagged or blocked as spam.
- **Honor Opt-Outs Immediately:** Train agents and configure systems to immediately honor any opt-out or do-not-call request. If a consumer says “Do not call me again” or texts “STOP,” that preference should be recorded and respected across your organization as an internal DNC entry. The TSR requires telemarketers to maintain an internal do-not-call list and refrain from calling those who opted out, and FCC rules require opt-out mechanisms in prerecorded calls and texts. Make sure your processes update opt-out lists in real time (and share across all dialing systems and campaigns). A single slip – calling someone who already opted out – can lead to a violation.

- **Quality Assurance Monitoring:** Regularly monitor call recordings and agent behavior for compliance. Implement a compliance checklist for agents covering required disclosures (e.g. identifying themselves and the company, stating the call's purpose, obtaining consent if not already given before proceeding with a sales pitch). Conduct periodic training refreshers on TCPA/TSR rules and your company's calling policies. Early detection of potential compliance slips – such as an agent deviating from the approved script or making an unauthorized call – allows you to correct issues before they become widespread problems.
- **Leverage Technology for Compliance:** Use dialing technology features that enforce compliance by design. For example, configure your dialer's calling windows to automatically respect time-of-day limits for each area code. Utilize built-in call pacing controls to avoid excessive abandon rates (staying within the 3% TSR safe harbor) and use answering machine detection so that any prerecorded messages drop only on voicemail as allowed. Many modern platforms also integrate third-party compliance services for real-time "litigator list" scrubbing and TCPA blacklist blocking. For instance, some providers offer automated blocking of known serial TCPA litigators and other high-risk numbers to protect your call center from potential lawsuits. Consider adopting such tools or services appropriate to your scale and risk profile to further reduce exposure.
- **Maintain an Internal DNC List:** In addition to scrubbing against the National DNC Registry, maintain your own internal do-not-call list of consumers who have directly requested no further contact. TCPA and FCC regulations mandate honoring these requests indefinitely. Ensure this internal DNC list is integrated into your dialing platform so that once a number is flagged, it is never contacted again (unless the consumer gives new consent in the future).

- **Stay Updated on Rule Changes:** Compliance is an evolving target. Assign someone (or a team) the responsibility of monitoring regulatory updates and industry developments. For example, the FCC recently updated its TCPA rules: beginning **January 27, 2025**, telemarketers must obtain “one-to-one” consent – meaning a consumer’s consent applies only to a single specific seller, closing the prior “lead generator” loophole that allowed one consent to cover many marketers <sup>[1]</sup>. Additionally, as of **April 2025**, new FCC rules explicitly allow consumers to revoke consent by any reasonable method (such as texting “STOP,” replying to an email, etc.), and companies must honor such revocations within 10 business days <sup>[18]</sup>. Being aware of changes like these – and adjusting your practices accordingly – is critical to staying compliant. Lawsuits and enforcement actions often follow on the heels of rule changes, so proactive compliance is key.

## Compliance Automation & Technology in Modern Call Centers

Modern call center technologies play a pivotal role in ensuring compliance at scale. Outbound dialing platforms (like CallShaper) often include built-in compliance features or integration capabilities to help automate adherence to the rules. Take full advantage of these settings and tools:

### Dialer Compliance Settings

Most professional outbound dialers allow administrators to set calling rules that align with TCPA, TSR, and state regulations. This includes time-of-day constraints (e.g. automatically blocking dialing outside permitted hours based on area code time zones), call frequency caps per contact, maximum dial rates to avoid excessive abandons, and automated opt-out list scrubbing. Configure your system not to exceed a 3% abandonment rate by pacing the dialer, and to immediately play a recorded identification message with your company name and callback number if a call is abandoned (to meet TSR requirements). Properly tuned dialer settings ensure your campaigns inherently stay within legal limits without relying solely on agent diligence.



## Real-Time DNC and TCPA Scrubbing

Ensure your platform is syncing with the National DNC list (and any relevant state do-not-call lists) in real time or at least daily. Some cloud dialing solutions integrate via API with compliance databases (for example, services like Gryphon.ai or Contact Center Compliance's tools) to automatically screen out numbers on the DNC or detect wireless numbers that lack consent. Integrating such services drastically reduces the risk of human error (like an agent calling a number that was recently added to the DNC). CallShaper's platform, for instance, automates DNC list scrubbing on lead upload and can even check numbers on-the-fly right before dialing. It also flags known high-risk/litigious numbers so they can be avoided.

## Caller ID Authentication (STIR/SHAKEN)

As mentioned earlier, STIR/SHAKEN technology helps verify call origin and prevent illegal spoofing. Many telecom carriers and enterprise dialers now support STIR/SHAKEN standards. Implementing this not only aids compliance (it's effectively required for carriers, and indirectly for call centers using their services) but also improves call delivery and answer rates. When your calls are signed with a full "A" attestation, they are more likely to reach the customer unblocked and show a "verified" caller ID. Work with your voice service provider or dialer vendor to implement STIR/SHAKEN and monitor your attestation levels. Tip: Ensure your outbound numbers are properly registered in call authentication databases – this can help achieve higher attestation and avoid being labeled as spam. Regularly rotate or "pool" numbers as needed, and monitor analytics that indicate if any of your numbers have been flagged by carrier apps (so you can swap them out).

## Consent Management

If your operation relies on leads from web opt-ins or third-party lead generators, use technology to capture and store proof of consent. A good practice is to maintain a **consent database** linked to each phone number you dial, indicating when, how, and for what purposes that consumer gave consent. Some compliance platforms provide specialized tools for this (e.g. storing screenshots of web form submissions, double opt-in records, etc.). Having a readily accessible record of consent for each call or text can quickly resolve disputes and is invaluable if you face a TCPA lawsuit. CallShaper's system, for example, logs consent

disclosures and allows a one-click display of the consent proof for any contact, making it easy to demonstrate compliance on demand.

## Robocall Mitigation and Monitoring

Utilize features like outbound call blocking and number reputation monitoring. For example, some call center platforms offer real-time monitoring of your outbound numbers' status – whether they've been flagged as "Spam Likely" by analytics services. Keeping an eye on this can alert you to potential issues; if a number is suddenly getting blocked or spam-labeled, it may indicate a spike in complaints or call volume, prompting you to investigate and possibly rotate that number out. Additionally, proactively rotate or localize caller ID numbers ("number pooling") to keep your call answer rates high and avoid concentrating too many calls (and potential complaints) on a single number. Just ensure any new numbers you use are properly registered and attested (see STIR/SHAKEN above).

## Partner with Compliance Services

For specialized needs, consider third-party compliance services to augment your platform's built-in tools. There are companies that maintain **litigation risk databases** (to scrub known TCPA plaintiffs or serial litigators), provide identity verification for consent records, or even offer outsourced compliance audits. While CallShaper and similar dialers have many compliance tools built-in, augmenting with external services (if your scale and risk profile warrant it) can add another layer of protection. For example, some dialers integrate with services like DNC.com or TCPA Litigator List – enabling automatic blocking of high-risk numbers. Evaluate these options based on your call volume and legal exposure. The investment in extra compliance safeguards is often far cheaper than defending a class action or regulatory investigation.

In summary, **technology – when properly configured – is a powerful ally in outbound compliance**. The goal is to design compliance into your workflow so that agents and campaigns inherently operate within legal guardrails, rather than relying solely on manual policies or after-the-fact fixes. Companies that leverage these tools not only mitigate risk but also often see improved efficiency (fewer blocked calls, less time wasted calling bad numbers, higher connect rates, etc.).

# Conclusion and CallShaper's Compliance Advantage

Outbound compliance is challenging, but it is achievable with the right approach. By building a culture of compliance, staying informed on rule changes, and leveraging smart technology, call centers can significantly reduce their legal risk while still maintaining productive operations. It's not just about avoiding lawsuits or fines – it's about treating consumers with respect and building trust, which ultimately benefits your business through better contact rates and customer relationships.

CallShaper is committed to a compliance-first philosophy. As an outbound dialing solution designed with regulators' expectations in mind, CallShaper provides tools that make it easier to follow all the best practices outlined above. The platform automatically scrubs leads against DNC lists, enforces time-of-day calling rules, records and stores consent, and monitors key metrics like abandonment rate and call duration for red flags. Quality assurance recordings and live monitoring help managers coach agents and ensure script adherence. By using a dialer platform built around compliance, you can focus on running efficient campaigns with confidence that the legal fundamentals are handled. **Remember:** compliance and performance are not mutually exclusive – in fact, compliance is a cornerstone of sustainable performance. With the right processes and partners in place, you can maximize contact results while keeping risk to a minimum.

## Disclaimer

CallShaper provides outbound and inbound call center software designed to encourage compliant and efficient communication. The features described are for informational purposes only and may vary depending on the specific configuration or deployment. Users are responsible for ensuring their use of the software complies with applicable laws and regulations, including but not limited to the Telephone Consumer Protection Act (TCPA), Do-Not-Call (DNC) rules, and state-level telemarketing laws. CallShaper makes no guarantees regarding call connection rates, regulatory compliance, or financial outcomes. Always consult with legal counsel to ensure full compliance with local, state, and federal regulations.

## AI Disclaimer

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