



Virginia Telephone Privacy Protection Act

Virginia's General Assembly has amended the Virginia Telephone Privacy Protection Act through Senate Bill 1339 (SB 1339), **effective January 1, 2026**. This law impacts agents' telephone and text message marketing in Virginia.

What has been Amended in Virginia's Telephone Privacy Protection Act?

Beginning January 1, 2026, the definition of a "Telephone Solicitation Call" has been amended and will apply to **all** calls and texts, whether made with or without using regulated technology (auto dialers) to a Virginia resident or anyone with a Virginia-based phone number and you must have prior written consent before reaching out to the consumer. Additional information on what has been amended is below.

What is Virginia's Definition of a "Telephone Solicitation Call"?

A **"telephone solicitation call"** now includes:

Any phone call made or initiated to:

- A natural person's **residence in Virginia**
- Any **landline or wireless phone** with a **Virginia area code**
- Any **landline or wireless phone** registered to a **Virginia resident**

Any text message sent to:

- A **wireless number with a Virginia area code**
- A **wireless number registered to a Virginia resident**

If the purpose is to:

- Offer or advertise any **property, goods, services, lease, license, investment, or credit**.
- Engage in any **fraudulent activity**, including engaging in any conduct that results in the **display of false or misleading caller identification information on the contacted person's telephone**.

What are the Key Compliance Updates Under SB 1339?

- **Text messages now qualify** as "telephone solicitation calls" and are fully regulated.
- For marketing purposes, you must obtain **prior written consent** before calling or texting.
- No more than three (3) contacts per twenty-four (24) hours are allowed for the same topic.
- **No solicitation can occur before 8:00 AM or after 9:00 PM, local time**, at the contacted person's location.
- **Identification of the telephone solicitor is required.** The telephone solicitor shall identify themselves by their first and last name and the name of the person on whose behalf the telephone solicitation is being made, promptly, upon contacting the recipient of such solicitation.
- You can also substitute the name making the solicitation to the name of the person on whose behalf the telephone solicitation is being made and that person's customer service telephone number.

What are the Opt-Out Requirements?

If a consumer no longer wishes to be contacted:

- They can verbally state that they want no further solicitation for phone calls.
- For text messages, they can reply with "UNSUBSCRIBE" or "STOP."
- You must honor all opt-out requests for a **minimum of 10 years**.
- Applies whether contact is made directly or on behalf of another party.

What are the Penalties for Non-Compliance?

- Civil penalties up to **\$500 per violation**, and **\$1,500 per willful violation**.
- Consumers may pursue **private legal action**.

What You Need to Do Now

- Review and update your scripts, dialing platforms, and texting systems.
- Ensure all Virginia-based contacts have **prior express written consent**.
- Limit number of daily outreach attempts and monitor communication hours.
- Maintain and honor your **Do Not Call list** for 10 years.
- Monitor and record all opt-out requests (verbal or text-based).

For more information, refer to [Senate Bill 1339 \(SB 1339\)](#)

