

**367.463 Consent to calls made with automated calling equipment -- Written consent -- Withdrawal of written consent -- Period of validity of written consent.**

- (1) A person may consent to a call made with automated calling equipment when:
  - (a) A live operator introduces the call and states an intent to play a recorded message; or
  - (b) By using the telephone keypad to provide a consent response.

Consent obtained pursuant to this subsection applies only to the particular call and does not constitute prior consent to receive further calls through automated calling equipment.

- (2) A person may consent to receive telephone calls through automated calling equipment by giving written consent to the person using automated calling equipment or causing it to be used.
  - (a) Any form used to obtain written consent shall state clearly and conspicuously its purpose and effect and shall clearly and conspicuously give notice of how the consent can be withdrawn.
  - (b) A record of written consent shall be maintained by the person to whom consent is given and shall be made available to the Attorney General or his authorized representative during normal business hours and upon twenty-four (24) hours' notice.
  - (c) A written consent to receive telephone calls through automated calling equipment shall be void on and after the fifteenth day after receipt of a letter withdrawing the consent.
  - (d) Unless withdrawn, a written consent shall be valid for two (2) years from the date on which it is executed; the record of written consent shall be maintained by the person to whom consent is given for at least the same period of time.

**Effective:** July 14, 1992

**History:** Created 1992 Ky. Acts ch. 32, sec. 2, effective July 14, 1992.