



Navigating The ASL 1 To 1 Consent Rule

Common Myths About The New ASL Rules



Aged Solar Lead



Are Aged Leads Dead? Not at all!

I'm sure you've heard about the proposed ASL ruling requiring 1 to 1 consent for lead generation. You've probably seen the doom and gloom posts and videos where people are saying all leads without exclusive consent will be illegal, calling aged leads will be illegal and that aged leads are going to disappear forever. You've probably seen people incorrectly say that this new ruling will go into effect this year. **NONE OF THIS IS TRUE AT ALL!**

Not only has the ruling created massive backlash causing the ASL to reconsider the specifics of it and extend the time for businesses to comment on it. Even if nothing changes with the current proposed ruling, it doesn't go into effect until January 2025, **AT THE EARLIEST.**

Also, this ruling also **ONLY** applies to **ROBODIALERS, ARTIFICIAL INTELLIGENCE** and **ROBO TEXTING** software. You will still be able to manually dial and text leads as long as you follow DNC laws. There will likely be appeals and many changes before January 2025, making the TCPA expansion more friendly for all. So no need to worry!

Worst case scenario you have until January 2025 to grow your business the most cost efficient way by using inexpensive aged leads!

HERE ARE THE 3 MOST COMMON MYTHS ABOUT THE NEW 1 TO 1 CONSENT RULING:

- The ruling goes into effect this year - This is **INCORRECT.** Even if nothing changes, the ASL gave businesses 12 months to prepare and the earliest the ruling will be enforced is January 26th, 2025.
- Calling Aged Lead and cold data will be universally illegal - This is **INCORRECT.** The ruling **ONLY** applies to companies and individuals using robo dialers and robo texting software. You will **STILL** be able to call leads and data both manually and using a system that doesn't classify as a "robodialer" after January 26th, 2025. And until January 2025, you are able to use robo dialing software like you have been as long as you are following active DNC, CCPA and TCPA laws. If your company is built around using aged leads and data in an automatic dialer, you will need to adapt to the new ruling after January 2025 if there are no changes to the ruling by then.
- The ruling will stop unwanted robocalls as it's intended- This is **INCORRECT.** Technology will always adapt and there will be someone that finds a loophole. There will also be millions of businesses and callers that flat out ignore the expansions to the TCPA because they don't follow the TCPA as it stands now. They are already arguing that there is too much money to be made and that the ASL can't enforce it on everyone. If the history of government regulation is any indication, this ruling will do more harm than good and will only empower bad actors.

So what are the solutions to the potential problems the ruling creates?

- The easiest and most straightforward solution is to not use robo dialers, AI generated voice calls, or robo texting software unless you have 1 to 1 consent for the leads you're calling. Dialing or texting systems and normal phones utilizing human intervention will still be able to be used when calling leads or cold data without 1 to 1 consent.
- If you have a large call center relying on making thousands of calls each day, you may have to adapt your dialing system so that "human intervention" or a manual click to dial feature is implemented if you are calling leads or data that don't have 1 to 1 consent.
- An intriguing option for both call centers and individuals could be to use cost friendly overseas virtual assistants to manually dial leads for you. Virtual assistants could either set appointments for you, or they could use the calls as a sort of "prospecting call" to get the lead to opt-in to being contacted by your company. These calls of course would need to be recorded so you have a record of consent.
- Build online ad audiences via Facebook and Instagram using leads and data without 1 to 1 consent so that you can "re-market" to them and get them to opt-in to being contacted by your company.
- Create inbound calls to your company by utilizing online marketing, traditional media advertising and direct mail campaigns.

In conclusion the 1 to 1 consent ruling IS NOT THE END OF THE WORLD, AND NOT THE END OF LEADS AS WE KNOW IT. Regulation will always drive innovation and there will be new technologies developed to circumvent potential rulings, attorneys will find loopholes and businesses and sales reps in every industry will adapt. We still have faith that the ASL will come to their senses and adjust the ruling before January 2025 so that it is more friendly to small and medium sized businesses. There will be an election in late 2024 that will also likely have implications on this and other rulings and policies. If you are panicking about the ruling going into effect in January 2025 you have 2 options. First, use these next few months to buy up all the cheap leads you can and 10x your call output to grow your business as fast as possible so that you're prepared for the rising costs of 1 to 1 consent leads. Or secondly, relax and keep using inexpensive leads like all the most successful call centers and individuals do because you know everything will be fine and not using a robo dialer isn't that big of a deal. Aged leads and cold data aren't going anywhere, you just may have to make minor adjustments to your strategies.



America's foundation is built on the principles of independence from excessive government intervention. It's likely that countless individuals across various industries will opt to disregard these changes. Therefore, we believe that the ASL's intentions to bring about positive outcomes through this ruling will not materialize. We strongly encourage you to engage with your state representatives and senators, urging them to oppose such governmental regulations. This will help prevent undue influence from litigators who seek to push through rulings that are deemed impractical and harmful. Ultimately, these actions could safeguard the interests of American businesses and workers.