

Note: SMS will be available for all clients around the middle to end of August 2024.

There are certain times when it's illegal to send SMS known as Quiet Hours. Quiet Hours depend on the current time of the **recipient** of the text message (not you, the sender). Some states have Quiet Hours that deviate from the Quiet Hours set in place by the TCPA.

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What are Quiet Hours?

Ascent360's global Quiet Hours range from **6PM to 10AM Mountain Time**. If you are attempting to send or schedule a text message within this window, we'll warn you before proceeding.

There is a provision in the federal law that suggests that Quiet Hours do not apply to individuals who have compliantly opted in to receive SMS marketing, but state penalties may still apply.

If you feel that you have a legitimate reason to be sending text messages to subscribers while Quiet Hours are active, you may do so at your own legal risk.

Compliance-related messages, such as opt-in confirmations, opt-out confirmations, and HELP/INFO responses are excluded from Quiet Hours restrictions.

State Penalties for Quiet Hours Violations

- **Connecticut:** Up to \$20,000 per violation.
- **Florida:** Up to \$10,000, payment of the Department of Agriculture and Consumer Services attorney's fees and costs, and criminal conviction for a third degree felony.
- **Maryland:** \$1,000 (\$5,000 for each subsequent offense) or one-year imprisonment, or both.
- **New Jersey:** Civil penalty of up to \$10,000 or \$30,000 if the person contact is 60 or older.
- **Oklahoma:** Up to \$500 per violation.
- **Washington:** Up to \$100 per violation, actions by the Washington attorney general, and a private right of action for consumers.