

Frank Zacherl Discusses TCPA Protection Roll Back with Law360

Law360

Miami

5.10.23

Miami partner [Frank Zacherl](#) spoke with *Law360* about amendments to the Florida Telephone Solicitation Act, which, if enacted, would rein in meritless lawsuits over legitimate texts to customers.

H.B. 761 would clarify the 2021 amendments providing for a private right of action in the FTSA, narrowing the definition of an autodialer, allowing customers to give consent and creating a safe harbor from suit for businesses that heed a customer's request to stop texting. These changes have the potential to both protect consumers from truly unwanted communications and also allow businesses to send useful communications without potential liability.

"It's nice to see common sense being brought back into the law of electronic marketing," said Frank. "This law, I think, strikes a very nice balance between all of our interest in not being spammed while also allowing businesses to service their customers."

In the article, Frank also discussed the mass exposure to litigation following the 2021 amendments, as well as the narrowed definition of an autodialer under the law.

To read the article in full, [click here](#).

About Frank Zacherl

[Frank A. Zacherl](#) is a partner in the Miami office of Shutts & Bowen LLP, where he is Co-Chair of the firm's Class Action and Mass Litigation Practice Group, and a leading member of the Insurance Practice Group. A Martindale-Hubbell AV® rated attorney, Frank concentrates his practice in complex civil litigation and electronic commerce, with an emphasis on trial work, class action defense, and high-stakes commercial matters. His practice areas include insurance litigation, electronic commerce and cybersecurity consultation and litigation, and commercial litigation.

Professionals

Frank A. Zacherl

[Frank Zacherl Discusses TCPA Protection Roll Back with Law360](#)

Practice Areas

[Class Action](#)

[Insurance](#)

[Litigation](#)

Industries

[Insurance](#)

Offices

[Miami](#)