How U.S. States are Tackling Algorithmic Pricing: 2025 Bill Tracker and Analysis

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Summary

Pricing algorithms have ushered in a troubling shift toward fluid, individualized, and opaque pricing for consumers. Now, states are taking action. In the first seven months of 2025, lawmakers introduced 51 bills across 24 states aimed at regulating algorithmic pricing, up from just 10 bills in all of 2024. Legislative efforts are converging around three primary regulatory targets: **algorithmic price fixing**, **surveillance pricing**, and **dynamic pricing.** To make sense of these changes, we developed a state-level tracker of algorithmic pricing legislation considered in 2025, which organizes each bill by state, sponsor, stage in the legislative process, category, and pricing strategy. In this report, you will also find a table of bills containing the exact language of their prohibition clauses and a list of key definitions from the bills.

Overview of the Pricing Algorithm Legislation Landscape

Algorithmic pricing is rapidly emerging as a focus in consumer protection policy. In 2024, 10 bills across eight states addressed the issue. By July 2025, that figure had surged to 51 bills introduced or considered across 24 states, a fivefold increase in legislative activity. Of the 2024 bills, five carried over into the 2025 session, underscoring sustained momentum and growing regulatory interest. Lawmakers are beginning to align around three key concerns: algorithmic price fixing, surveillance pricing, and dynamic pricing.

Number of State Bills By Pricing Strategy in 2024 and 2025
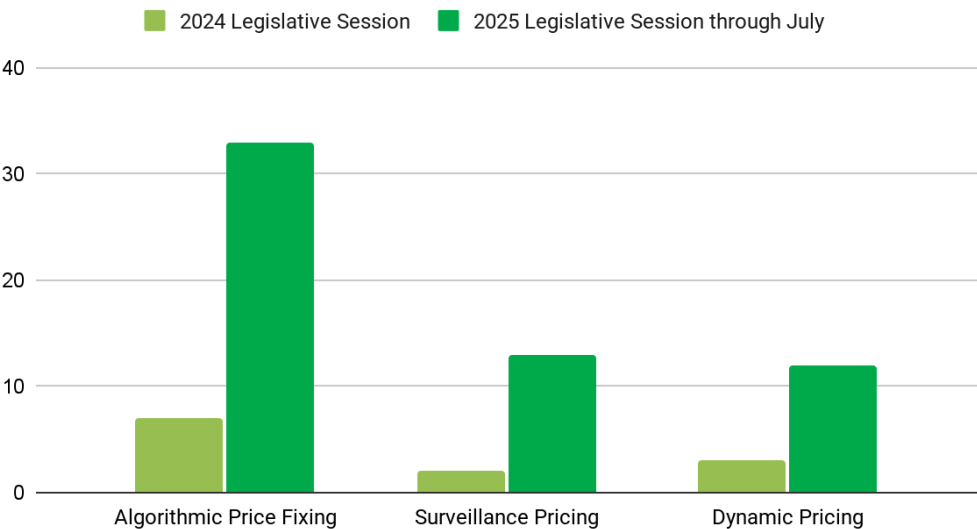
Of these, algorithmic price fixing has received the most legislative attention, particularly in the rental housing market. In 2024, five of the 10 bills focused on algorithmic rent-setting and

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potential collusion. By July of the 2025 legislative session, 26 of the 33 algorithmic price fixing bills continued to target that same issue.

While no bills in 2024 explicitly targeted surveillance-based pricing, OH SB328 and CA SB1154 laid the groundwork by mandating disclosures when pricing algorithms were used. By July of the 2025 legislative session, 13 bills were introduced that contained provisions requiring disclosures or outright prohibitions on surveillance-based pricing practices.

New York currently leads with seven algorithmic pricing bills introduced in 2025, followed by California and Massachusetts, with five and four respectively.

2025 Pricing Algorithm Bills by State
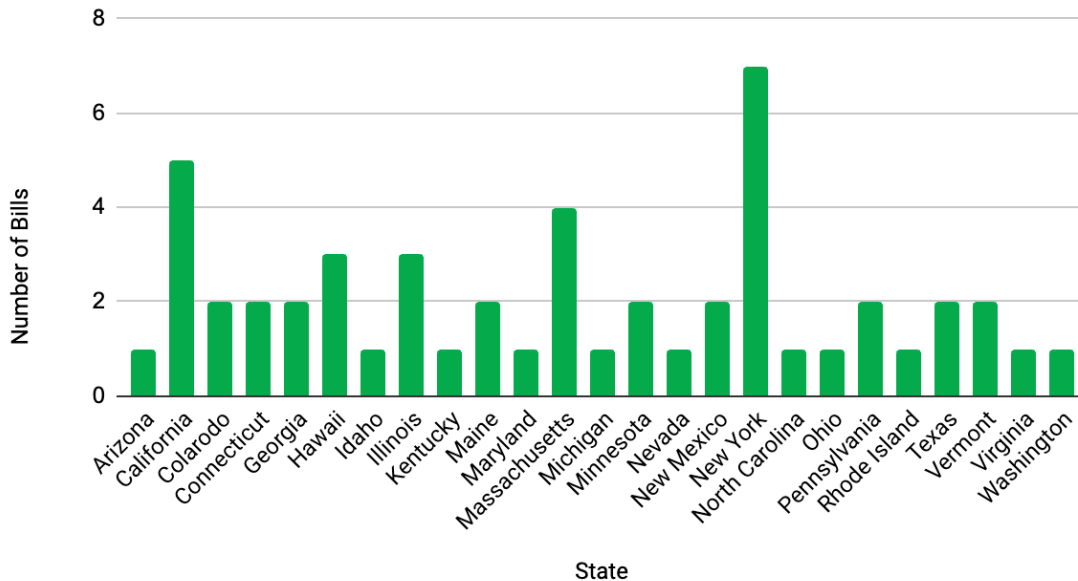
Deep Dive: Legislative Approaches by Pricing Strategy

Algorithmic Price Fixing

What It Is

Algorithmic price fixing refers to the use of software – often trained on nonpublic competitor data or used across multiple sellers in a market – to coordinate prices, effectively reducing market competition. This issue came to the forefront with the [U.S. Department of Justice's 2024 lawsuit against RealPage](#) and several landlords, alleging that their shared use of pricing software enabled collusion in rental markets through access to proprietary pricing data.

Bills by the Numbers

- In 2024, seven state bills addressed algorithmic price fixing. By July 2025, 33 such bills were introduced.
- The vast majority focus specifically on rent-setting in the housing market: five out of seven in 2024, and 26 out of 33 in 2025.
- Notably, New York's [S7882](#) passed both chambers, and Colorado's [HB1004](#) advanced to the governor's desk but was ultimately vetoed. Both bills focused specifically on algorithmic price fixing in the rental housing market.
- While city and town-level legislation falls outside the scope of this tracker, we note that local laws regulating algorithmic rent setting have been passed in [Berkeley](#), [San Diego](#), and [San Francisco](#) (CA); [Minneapolis](#) (MN); [Jersey City](#) (NJ); [Philadelphia](#) (PA); [Providence](#) (RI); and [Seattle](#) (WA). However, Berkeley is now [reconsidering its ordinance](#) after being sued by RealPage, and Portland has [paused its own legislation](#) in response.

General Approach

The numbers make clear that the primary focus of most bills is the rental housing market. While the general objective is to prevent the use of algorithmic tools to coordinate rent setting, legislators take a variety of approaches to achieve that outcome. We've identified three common approaches, though we note that some bills combine multiple strategies, or include provisions that do not fall into one of these three categories:

- **Supply-side Restriction:** prohibits the sale or distribution of algorithmic pricing tools intended for rent setting. This approach targets the vendors and developers that provide these systems to landlords. Bills using this approach include: California [SB52](#), Colorado [HB1004](#), and Texas [HB2491](#).

- **Coordination Ban:** makes it unlawful for real estate lessors, or their agents or subcontractors, to subscribe to, contract for, or otherwise exchange value for coordinating functions. These provisions also prohibit service providers from facilitating agreements not to compete among lessors. Bills using this approach include: Illinois SB1996, Massachusetts HB1564, North Carolina H970, New Mexico HB215, and Washington SB5469.

- **Direct-use Ban:** most common approach prohibits landlords from employing, using, or relying on algorithmic devices to set rental rates or occupancy levels for residential units. Bills using this approach include: Arizona HB2847, Connecticut HB7209, Illinois HB1427, Kentucky HB358, Massachusetts SB994, Maryland SB609, Minnesota HF1142, New York S2697, and Virginia HB2047.

As noted above, some bills combine multiple regulatory strategies. For example, Colorado HB1004 includes both supply-side and direct-use provisions, with the latter applying only when the user knew or should have known the tool was used by others in a rent-fixing scheme – a qualifier that distinguishes it from more typical direct-use bans. To avoid redundancy, we highlight each bill only once, under the strategy where its language most closely aligns with the broader cluster. Separately, a recurring feature across these bills is the focus on "nonpublic competitor data", a term that appears in 15 of the 26 bills analyzed. This language draws a distinction between algorithms trained on publicly accessible data and those that rely on information not widely available to the public.

Why It Matters
Algorithmic collusion undermines fair competition. When landlords rely on a coordinated pricing system, tenants lose access to competitive pricing, discounts, or flexible lease terms. In tight rental markets, algorithm-driven coordination can inflate rents and deepen affordability challenges.

Surveillance Pricing

What It Is

Surveillance pricing, sometimes also referred to as personalized pricing, sets customized prices for individual consumers or groups of consumers based on behavior, biometrics, location, or other personal characteristics.

Bills by the Numbers

- In 2024, two bills included provisions related to surveillance pricing, though neither referred to the practice explicitly. By July 2025, that number had grown significantly, with 13 bills introduced that directly address surveillance-based pricing practices.
- Notably, New York's S3008 is the first and only pricing algorithm bill signed into law to date.

General Approach

States are pursuing two primary regulatory strategies to address surveillance pricing. The first approach is to prohibit the use of pricing algorithms that rely on personal data. The second is to mandate consumer disclosures. Some bills also combine both approaches. Bills like New York S3008 and S7033 require clear and conspicuous disclosures when pricing algorithms are used, while Ohio SB79 goes further by requiring the disclosure to state whether different prices are recommended for different consumers seeking identical or nearly identical products.

9 bills include prohibition provisions, 4 bills contain disclosure requirements.

2025 Surveillance Pricing Bills by Regulatory Approach
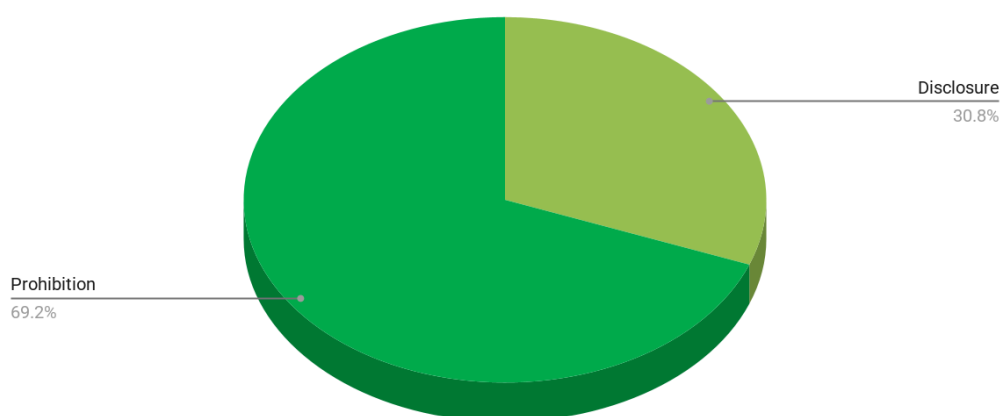
Disclosure
30.8%

Prohibition
69.2%

Some bills also extend the protections to surveillance-based wages, namely Colorado HB1264, Georgia SB164, Illinois SB2255, and Ohio SB79.

Why It Matters

Surveillance-based pricing erodes transparency and consumer welfare. Consumers may unknowingly pay more than others for identical goods, often based on traits like device use, browsing behavior, or geographic location, or inferences about their wealth, family size, education level, pregnancy status, and more. These practices raise equity concerns and blur ethical lines in consumer commerce.

Dynamic Pricing

What It Is

Dynamic pricing is the real-time or near real-time adjustment of prices based on shifting factors like demand and time, often through algorithms or artificial intelligence. It includes surge pricing, where prices increase sharply during periods of high demand.

Bills by the Number

- In 2024, there were only three state bills that met our criteria targeting dynamic pricing. By July 2025, that number had increased to 12.
- Among the three pricing strategies tracked, this category has seen the slowest legislative progress, with no bills passed or signed into law to date.

Scope of Bills

Bills targeting dynamic pricing tend to have the most varied and context-specific scope. Key themes include:

- **Specified time frames:** Some bills limit how frequently prices can change. Maine HP1055 requires prices to be fixed for at least one business day, while Vermont H371 mandates prices to remain fixed while the retailer is open to the public.

- **Specific Food Contexts:** New York A3437 prohibits dynamic pricing by food service establishments; New York A3103 prohibits surge pricing by chain restaurants; Hawaii HB465 prohibits dynamic pricing on food that is sold, or qualifies to be sold, as part of the federal Supplemental Nutrition Assistance Program (SNAP) or Special Supplemental Foods Program for Women, Infants, and Children (WIC).

- **Disclosures:** New Mexico HB285 mandates comprehensive disclosures about any dynamic pricing system in place, while Connecticut SB1487 and Massachusetts SB2253 target surge pricing disclosures in transportation network companies.

- **Electronic Shelf Labels (ESLs):** Rhode Island H5551 specifies that the use of ESLs alone does not satisfy existing pricing disclosure law.

Why It Matters

Dynamic pricing, when left unchecked, can undermine consumer trust and price transparency. It could also erode consumers' surplus—when consumers can buy a good or service for less than the most they were willing to pay. New technologies like Electronic Shelf Labels (ESLs) allow retailers to change prices rapidly, raising concerns about unannounced markups. This can leave consumers unaware of real-time price shifts, unable to compare prices effectively, and more vulnerable to algorithm-driven price discrimination.

Why We Chose to Do This Research

At Consumer Reports, we know that our members are increasingly frustrated by opaque and often confusing pricing algorithms. It has become increasingly challenging to comparison shop online, and consumers are concerned – with good reason – that what they do online, when they shop, from what location, or account, or device, impacts the price they are seeing.

This research was initiated in response to those concerns. By documenting and analyzing the growing wave of state legislation targeting algorithmic pricing, we aim to provide clarity for consumers, insight for policymakers, and momentum for further reforms that protect transparency, fairness, and competition in the marketplace.

Scope and Methodology

Methodology

This research culminates in the creation of a State Bill Tracker and Bill Table, documenting state-level bills considered in 2025 that pertain to pricing algorithms. The scope is limited to bills introduced through July 1st 2025, which marks the research cut-off point. All legislative data was sourced using Politico Pro's Legislative Compass. Searches were filtered by U.S. state legislation and conducted using the following range of keywords:

- *algorithmic pricing/ pricing algorithm*
- *price setting*
- *price fixing*
- *surveillance pricing/ price surveillance*
- *personalized pricing*
- *dynamic pricing*
- *surge pricing*
- *electronic shelf labels*

Each bill identified through these keyword searches was screened manually for relevance. A bill was included in the final dataset only if it referenced the use of AI, machine learning, or computational process in price-related decisions.

What's Outside the Scope

This project does not cover bills that focus exclusively on:

- Insurance pricing regulation, including health, motor, or life insurance algorithms
- Emergency-specific surge pricing restrictions for transportation network companies
- Dynamic pricing within a single transaction window (e.g., entertainment tickets)

These areas, while important, fall outside the scope of this study and may be addressed in future research.

Acknowledgements

How U.S. States are Tackling Algorithmic Pricing: 2025 Bill Tracker and Analysis

Bill Tracker: State Pricing Algorithm Bills

Glossary of Terms	
Legislative Stage	**Pricing Strategy**
• **Introduced:** The bill has been formally introduced but has not yet entered committee review. • **In Committee:** The bill is under consideration by one or more committees in its chamber of origin. • **In Cross Chamber:** The bill has passed a vote in its chamber of origin and has moved to the opposite chamber (e.g., from the state House of Representatives to the state Senate). • **In Cross Committee:** The bill is now being reviewed by committees in the non-originating chamber. • **Passed:** The bill has been approved by both chambers of the state legislature. • **Signed:** The bill has been signed into law by the governor.	• **Surveillance Pricing:** Customized prices for a consumer or group of consumers based on personal data such as behavior, biometrics, location, or other personal characteristics. • **Dynamic Pricing:** Real-time or near real-time adjustment of prices based on shifting factors like demand and time, often through algorithms or AI. It includes surge pricing, where prices increase sharply during periods of high demand. • **Algorithmic Price Fixing:** Use of software – often trained on nonpublic competitor data or used across multiple sellers in a market – to coordinate prices, effectively reducing market competition.

State	Stage	Sponsor	Bill	Category	Algorithmic Price Fixing	Surveillance Pricing	Dynamic Pricing
Arizona	Dead – Session Concluded	Representative De Los Santos	HB2847	Rental Housing	Prohibition		
California	In Cross Chamber	Assembly Member Ward	AB446	Commercial Items		Prohibition	
California	In Cross Committee	Senator Wahab	SB259	Online Device		Prohibition	
California	In Cross Committee	Senator Wahab	SB384	Commercial Items, Rental Housing	Prohibition		
California	In Cross Chamber	Assembly Member Aguiar-Curry	AB325	Commercial Items, Wage	Prohibition		
California	In Cross Committee	Senator Pérez	SB52	Rental Housing	Prohibition		
Colorado	Postpone Indefinitely	Representative Mabrey	HB1264	Good or Service, Wage		Prohibition	
Colorado	Vetoed by Governor	Representative Woodrow	HB1004	Rental Housing	Prohibition		

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State	Stage	Sponsor	Bill	Category	Algorithmic Price Fixing	Surveillance Pricing	Dynamic Pricing
Connecticut	Dead – Session Concluded	Labor and Public Employees Committee	SB1487	Transportation Network Companies			Disclosure
Connecticut	Dead – Session Concluded	Judiciary Committee	HB7209	Rental Housing	Prohibition		
Georgia	Dead – Session Concluded	Senator Merritt	SB164	Commercial Items, Wage		Prohibition	
Georgia	Dead – Session Concluded	Representative Sanchez	HB679	Rental Housing	Prohibition		
Hawaii	Dead – Session Concluded	Representative Grandinetti	HB465	Food sold or qualified to be sold in Supplemental Nutrition Assistance Program or Special Supplemental Foods Program for Women, Infants, and Children			Prohibition
Hawaii	Dead – Session Concluded	Representative Grandinetti	HB831	Rental Housing	Prohibition		
Hawaii	Dead – Session Concluded	Representative Grandinetti	HR171	Rental Housing	Investigation		
Idaho	Dead – Session Concluded	State Affairs Committee	H203	Commercial Items	Prohibition		
Illinois	Dead – Session Concluded	Senator Peters	SB2255	Commercial Items, Wage		Prohibition	
Illinois	Dead – Session Concluded	Senator Guzmán	SB1996	Rental Housing	Prohibition		
Illinois	Dead – Session Concluded	Representative Jiménez	HB1427	Rental Housing	Prohibition		

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State	Stage	Sponsor	Bill	Category	Algorithmic Price Fixing	Surveillance Pricing	Dynamic Pricing
Kentucky	Dead – Session Concluded	Representative Kulkarni	HB358	Rental Housing	Prohibition		
Maine	Ought Not to Pass Pursuant To Joint Rule 310	Representative Malon	HP1055	Eating Establishment, Grocery Store			Prohibition
Maine	Ought Not to Pass Pursuant To Joint Rule 310	Senator Daughtry	SP748	Grocery Stores			Prohibition during times of emergency; Disclosure otherwise
Maryland	Dead – Session Concluded	Senator Love	SB609	Rental Housing	Prohibition		
Massachusetts	In Committee	Joint Committee on Advanced Information Technology, the Internet and Cybersecurity	SB2515	Food Store and Food Department		Prohibition	
Massachusetts	In Cross Committee	Senator Crighton	SB2253	Transportation Network Companies			Disclosure
Massachusetts	In Cross Chamber	Senator Friedman	SB994	Rental Housing	Prohibition		
Massachusetts	In Cross Chamber	Representative Sabadosa	HB1564	Rental Housing	Prohibition		
Michigan	In Committee	Representative Rheingans	HB4538	Rental Housing	Prohibition		
Minnesota	Dead – Session Concluded	Senator Quade	SF3098	Commercial Items	Prohibition	Prohibition	Prohibition
Minnesota	Dead – Session Concluded	Representative Howard	HF1142	Rental Housing	Prohibition		
Nevada	No Further Action Taken	Senator Neal	SB199	Rental Housing	Prohibition		

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State	Stage	Sponsor	Bill	Category	Algorithmic Price Fixing	Surveillance Pricing	Dynamic Pricing
New Mexico	Action Postponed Indefinitely	Representative Silva	HB285	Grocery and Retail Stores		Prohibition	Disclosure
New Mexico	Action Postponed Indefinitely	Representative Romero	HB215	Rental Housing	Prohibition		
New York	Signed	Finance Committee	S3008	Commercial Items		Disclosure	
New York	Passed	Senator Hoylman-Sigal	S7882	Rental Housing	Prohibition		
New York	Dead – Session Concluded	Senator May	S7033	Commercial Items		Prohibition	
New York	Dead – Session Concluded	Assembly Member Santabarbara	A3437	Food Service Establishments			Prohibition
New York	Dead – Session Concluded	Assembly Member Solages	A3103	Chain Restaurants			Prohibition
New York	Dead – Session Concluded	Senator Hoylman-Sigal	S2697	Rental Housing	Prohibition		
New York	Dead – Session Concluded	Assembly Member Rosenthal	A3930	Rental Housing	Prohibition	Disclosure	
North Carolina	In Committee	Representative Longest	H970	Rental Housing	Prohibition		
Ohio	In Committee	Senator Blessing	SB79	Product or Service, Wage	Prohibition	Disclosure	
Pennsylvania	In Committee	Representative Howard	HB1533	Deployment of Artificial Intelligence System	Prohibition		
Pennsylvania	In Committee	Representative Krajewski	HB140	Rental Housing	Prohibition		
Rhode Island	Dead – Session Concluded	Representative Cotter	H5551	Consumer Commodity, Unit Pricing			Electronic shelf labels alone do not meet the requirements of price labelling law

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State	Stage	Sponsor	Bill	Category	Algorithmic Price Fixing	Surveillance Pricing	Dynamic Pricing
Texas	Dead – Session Concluded	Senator West	SB2567	Goods or Service	Disclosure	Disclosure	Disclosure
Texas	Dead – Session Concluded	Representative Talarico	HB2491	Rental Housing	Prohibition		
Vermont	In Committee	Representative Greer	H371	Electronic Shelf Labels, Retail Establishments			Moratorium, Prohibition
Vermont	In Committee	Representative Priestley	H389	Rental Housing	Prohibition		
Virginia	Dead – Session Concluded	Delegate Anthony	HB2047	Rental Housing	Prohibition		
Washington	Dead – Session Concluded	Senator Salomon	SB5469	Rental Housing	Prohibition		

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Table of Bills

State	Bill	Pricing Strategy	Extracted Relevant Bill Text	Sponsor
Arizona	HB2847	Algorithmic Price Fixing	A. A person in this state may not use algorithmic price fixing to establish the rental rate. B. There is a rebuttable presumption that a person committed an antitrust violation [...] if the attorney general proves all of the following factors: 1. A person used algorithmic pricing that included nonpublic competitor data. 2. A person used algorithmic pricing to set or recommend residential rental rates. 3. At least two competitors used the same algorithmic pricing for residential rental rates in the same or related markets.	Representative De Los Santos
California	AB446	Surveillance Pricing	A person shall not engage in surveillance pricing.	Assembly Member Ward
California	SB259	Surveillance Pricing	(a) A price offered to a consumer through the consumer's online device shall not be generated in whole, or in part, based on any of the following input data: (1) The hardware or hardware state of the online device. (2) The presence or absence of any software on the online device. (3) (A) Geolocation data of the online device.	Senator Wahab
California	SB384	Algorithmic Price Fixing	A person shall not sell, license, provide, or use a price-setting algorithm with the intent that it be used by two or more competitors in the same market if the person knows or should know that the algorithm processes nonpublic input data to set either of the following: (1) A price or supply level of a good or service. (2) A rent or occupancy level of rental property.	Senator Wahab
California	AB325	Algorithmic Price Fixing	(a) It shall be unlawful for a person to use or distribute a common pricing algorithm if either of the following is true: as part of a contract, combination in the form of a trust, or conspiracy to restrain trade or commerce. (b) It shall be unlawful for a person to use or distribute a common pricing algorithm if either of the following	Assembly Member Aguiar-Curry

			occurs: (1) The person distributes the common pricing algorithm to two or more persons with the intent that it be used to set or recommend prices or commercial terms of the same or similar products or services and the person coerces any person to set or adopt a recommended price or commercial term of the same or similar products or services in the jurisdiction of this state. (2) The person uses the common pricing algorithm to set or recommend prices or commercial terms of products or services and does either of the following: (A) Knows or should know that they are adhering to or participating in a scheme to fix the price or commercial term of the same or a similar product or service in the jurisdiction of this state. (B) Coerces any person to set or adopt a recommended price or commercial term for the same or similar products or services in the jurisdiction of this state.	
California	SB52	Algorithmic Price Fixing	(a) It is unlawful for any person to sell, license, or otherwise provide to two or more persons a rental pricing algorithm with the intent that it be used by two or more persons in the same market or a related market to set or recommend rental rates, lease terms, or occupancy levels for residential premises. (b) It is unlawful for any person to use a rental pricing algorithm for residential premises if either of the following applies: (1) The person knows or should know that the rental pricing algorithm would be used to set rental terms for a residential premises by two or more landlords in the same market or a related market. (2) The person coerces any other person to set or adopt a recommended rental terms for a residential premises located in the same market or a related market. (c) It is unlawful for a person to set or adopt rental terms based on the recommendation of a rental pricing algorithm if the person knows or should know that the rental pricing algorithm processes nonpublic competitor data to set rental terms and that the pricing algorithm or the recommendation of the pricing algorithm was used by another person to set or recommend a rental term for a residential premises in the same market or a related market.	Senator Pérez
Colorado	HB1264	Surveillance	A person shall not engage in surveillance-based price	Representative

		Pricing	discrimination. A person shall not engage in surveillance-based wage discrimination. A person that uses an automated decision system to assist or replace human decision-making related to wages or prices shall develop and publish reasonable procedures: (a) To ensure the accuracy of all data considered by the automated decision system; (b) To allow a consumer or worker to correct or challenge the accuracy of data considered by the automated decision system; and (c) For consumers or workers to request and receive information regarding what data is considered and how automated decision-making considers the data when setting particular prices or wages.	Mabrey
Colorado	HB1004	Algorithmic Price Fixing	(a) The sale or distribution for consideration of an algorithmic device is prohibited if: (i) The algorithmic device is sold or distributed with the intent that it will be used by two or more landlords in the same market or a related market to set or recommend the amount of rent, level of occupancy, or other commercial term associated with the occupancy of a residential premises; and (ii) The device sets or recommends the amount of rent, level of occupancy, or other commercial term associated with the occupancy of a residential premises based on data or a formula that is similar for each landlord. (b) The use of an algorithmic device by a person to set or recommend the amount of rent, level of occupancy, or other commercial term associated with the occupancy of a residential premises is prohibited if: (i) The person knew or should have known that another person used the algorithmic device to set or recommend the amount of rent, level of occupancy, or other commercial term associated with the occupancy of a residential premises; and (ii) The circumstances suggest that the person adhered to or participated in a scheme to fix the amount of rent, level of occupancy, or other commercial term associated with the occupancy of a residential	Representative Woodrow

			premises. (c) A person engaged in the business of providing algorithmic device services or products that are used to set or recommend the amount of rent, level of occupancy, or other commercial term associated with the occupancy of a residential premises shall not use nonpublic competitor data pertaining to residential properties in colorado in setting or recommending the amount of rent, level of occupancy, or other commercial term associated with the occupancy of a residential premises for residential properties in Colorado.	
Connecticut	SB1487	Dynamic Pricing	If a transportation network company elects to implement dynamic pricing, the transportation network company, through its digital network, shall: (i) Provide notice to a potential transportation network company rider that dynamic pricing is in effect before a request for a prearranged ride may be submitted; (ii) provide a fare estimator that enables the potential rider to estimate the cost of such prearranged ride under dynamic pricing; and (iii) include a feature that requires the potential rider to confirm that he or she understands that dynamic pricing will be applied to the cost of such prearranged ride. No transportation network company shall increase the price of a prearranged ride to more than two and one-half times the usual price charged for such prearranged ride in an area which is the subject of any disaster emergency declaration issued by the Governor pursuant to chapter 517, any transportation emergency declaration issued by the Governor pursuant to section 3-6b or any major disaster or emergency declaration issued by the President of the United States. A transportation network company shall adopt a policy of nondiscrimination on the basis of the age, color, creed, destination, intellectual or physical disability, national origin, race, sex, sexual orientation or gender identity with respect to transportation network company riders, potential transportation network company riders and transportation network company drivers. A transportation network company shall notify all drivers who use the company's digital network of such policy. Also: electronic receipt and weekly summary showing any dynamic pricing	Labor and Public Employees Committee
Connecticut	HB7209	Algorithmic Price Fixing	It shall be an unlawful practice in violation of chapter 624 of the general statutes for any person to use an algorithmic device to set rental rates or occupancy levels for residential dwelling units.	Judiciary Committee

How U.S. States are Tackling Algorithmic Pricing: 2025 Bill Tracker and Analysis

Georgia	SB164	Surveillance Pricing	No person shall engage in surveillance based price discrimination.	Senator Merritt
Georgia	HB679	Algorithmic Price Fixing	(b) No person shall enter into or cause to be entered into an agreement involving price-fixing. Any such agreement shall be deemed an unenforceable contract in general restraint of trade as provided in Code Section 13-8-2, and any person that enters into or causes to be entered into such an agreement shall, upon conviction thereof, be guilty of a felony and be punished by imprisonment for not less than one nor more than five years, or by a fine of not less than $1,000.00 nor more than $5,000.00, or by both imprisonment and fine. (c) No landlord shall set rental prices based on a price-fixing function.	Representative Sanchez
Hawaii	HB465	Dynamic Pricing	No retailer shall use dynamic pricing in the sale of food that is sold, or qualifies to be sold, as part of the federal Supplemental Nutrition Assistance Program or Special Supplemental Foods Program for Women, Infants, and Children.	Representative Grandinetti
Hawaii	HB831	Algorithmic Price Fixing	(a) It shall be unlawful and a violation of this chapter for: (1) A rental property owner, or any agent, representative, or subcontractor thereof, to subscribe to, contract with, or otherwise exchange any form of consideration in return for the use of services of a coordinator; (2) A coordinator to facilitate an agreement among rental property owners that restricts competition with respect to residential dwelling units, including by performing a coordinating function; or (3) Two or more rental property owners to engage in consciously parallel pricing coordination.	Representative Grandinetti
Hawaii	HR171	Algorithmic Price Fixing	The Attorney General is urged to investigate the extent to which algorithmic price-setting and price-fixing practices are being used in the State's rental housing market, including but not limited to the: (1) Use of property management software to collect and analyze rental pricing data; (2) Role of algorithms in recommending or setting rental prices; (3) Potential for collusion or anti-competitive behavior among rental property owners; and (4) Impact of these practices on rental prices and	Representative Grandinetti

			housing affordability in Hawaii; and	
Idaho	H203	Algorithmic Price Fixing	(1) It shall be unlawful for a service provider to facilitate an agreement to diminish competition relating to price, volume of supply, or any other commercial term between two (2) or more providers of a similar good or service. (2) It shall be unlawful for a service provider to use or distribute, or cause to be used or distributed, a pricing algorithm that incorporates nonpublic data from two (2) or more sellers or buyers of a similar good or service or to use or distribute a pricing algorithm with the intent that it be used by two (2) or more sellers or buyers of a similar good or service. (3) It shall be unlawful for a seller or buyer of a good or service to set a price, volume of supply, or any other commercial term through the use of a pricing algorithm that incorporates nonpublic data from two (2) or more providers of a similar good or service or to use a pricing algorithm that is used by one (1) or more other sellers or buyers of a similar good or service.	State Affairs Committee
Illinois	SB2255	Surveillance Pricing	A person shall not use surveillance data as part of an automated decision system to inform the individualized price assessed to a consumer for goods or services. A person shall not use surveillance data as part of an automated decision system to inform the individualized wage paid to an employee.	Senator Peters
Illinois	SB1996	Algorithmic Price Fixing	(a) A real estate lessor, or any agent or subcontractor of a real estate lessor, shall not subscribe to, contract with, or otherwise exchange anything of value in return for the services of a real estate service provider. (b) A real estate service provider shall not facilitate an agreement to not compete between real estate lessors with respect to residential dwelling units.	Senator Guzmán
Illinois	HB1427	Algorithmic Price Fixing	In setting the amount of rent to be charged to a tenant for the occupancy of a residential premises, including determining any change in the amount of rent to be charged for the renewed occupancy of a residential premises, a landlord shall not employ, use, or rely upon, or cause another person to employ, use, or rely upon, an algorithmic device that uses, incorporates, or was trained with nonpublic competitor data.	Representative Jiménez
Kentucky	HB358	Algorithmic Price Fixing	A landlord shall not employ, use, or rely upon, or cause another person to employ, use, or rely upon, an algorithmic device in setting the amount of rent to be	Representative Kulkarni

			charged to a tenant for the occupancy of a dwelling unit.	
Maine	HP1055	Dynamic Pricing	An eating establishment or grocery store may not use dynamic pricing in setting the price for a good or product sold by the eating establishment or grocery store. The price for a good or product must remain fixed for at least one business day and must be posted or displayed in a manner visible to the public, such as on a menu, menu board, price tag or label.	Representative Malon
Maine	SP748	Dynamic Pricing	A grocery store may not engage in dynamic pricing more than once in a 48-hour period during a severe weather event, a natural disaster, a supply chain disruption or another event that can cause a sudden increased demand for goods or services. Except as prohibited pursuant to subsection 1, a grocery store may use dynamic pricing if it provides notice to its customers using conspicuous signage indicating: A. That dynamic pricing is being used in the grocery store and how it works; B. What factors are used by the grocery store to change the price of a good or service; and C. That it is an unfair or deceptive trade practice to use dynamic pricing more than once in a 48-hour period during a severe weather event, a natural disaster, a supply chain disruption or another event that can cause a sudden increased demand for goods or services.	Senator Daughtry
Maryland	SB609	Algorithmic Price Fixing	(b) In setting the amount of rent to be charged for the lease of residential property, including determining any change in rent to be charged for the renewal of a lease, a landlord may not employ, use, or rely on, or cause another to employ, use, or rely on, an algorithmic device that uses, incorporates, or was trained with nonpublic competitor data.	Senator Love
Massachusetts	SB2515	Surveillance Pricing	Food stores and food departments shall be prohibited from suggesting items or adjusting the prices of any item in the food store and food department directly or indirectly based on the biometric data of individuals collected on the premises of a food store and food department.	Joint Committee on Advanced Information Technology, the Internet and Cybersecurity
Massachusetts	SB2253	Dynamic Pricing	A transportation network company shall provide clear and conspicuous transportation fare estimates to riders at all times, including during surge pricing, high volume and demand times.	Senator Crighton

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			Fare estimates shall include a clear rate estimate or the amount of price increase resulting from surge pricing or increased demand and shall show the price difference between the cost of a shared-ride and a single-occupancy ride.	
Massachusetts	SB994	Algorithmic Price Fixing	In setting the amount of rent to be charged to a tenant for the occupancy of a residential dwelling unit, determining any change in the amount of rent to be charged to a tenant for the renewed occupancy of a residential dwelling unit, or otherwise determining what amount to charge a tenant to rent a residential dwelling unit, or determining occupancy levels of residential dwelling units, no lessor or landlord shall employ, use or rely upon an algorithmic device or coordinator.	Senator Friedman
Massachusetts	HB1564	Algorithmic Price Fixing	(a) No real estate lessor, or any agent or subcontractor thereof, shall subscribe to, contract with or otherwise exchange anything of value in return for the services of a service provider. (b) No service provider shall facilitate an agreement to not compete among real estate lessors with respect to residential dwelling units.	Representative Sabadosa
Michigan	HB4538	Algorithmic Price Fixing	A landlord shall not use, incorporate, or train an algorithmic pricing device with nonpublic competitor data to do any of the following for the purpose of advising the landlord of the amount of rent to charge a tenant or prospective tenant for the occupancy of a rental unit: (a) Coordinate price, supply, or other rental housing information among 2 or more landlords. (b) Enter into an agreement or contract with other landlords in restraint of the rental housing market.	Representative Rheingans
Minnesota	SF3098	Surveillance Pricing, Dynamic Pricing, Price Fixing	A person is prohibited from using artificial intelligence to adjust, fix, or control product prices in real time based on market demands, competitor prices, inventory levels, customer behavior, or other factors a person may use to determine or set prices for a product.	Senator Quade
Minnesota	HF1142	Algorithmic Price Fixing	Price fixing prohibition. (a) A landlord shall not employ, use, or rely on or cause another person to employ, use, or rely on, an algorithmic device that uses, incorporates, or was trained on nonpublic competitor data to set the amount of rent to be charged to a tenant for a residential rental unit.	Representative Howard

			Bias algorithms prohibited. The use of an algorithm or artificial intelligence software for background screening is prohibited when the screening tool software is likely or known to have a disproportionate and arbitrary effect on a protected class listed in section 363A.09, subdivision 1.	
Nevada	SB199	Algorithmic Price Fixing	It is unlawful to conduct any part of any such activity in this State: (2) Substantially lessen competition or be in restraint of trade. (g) Establishment by a landlord of a price for rent for a dwelling unit that is based upon a recommendation provided by an artificial intelligence system that generates recommended prices for rent using nonpublic information provided to the system by multiple landlords concerning the prices charged by those landlords for rent.	Senator Neal
New Mexico	HB285	Surveillance Pricing, Dynamic Pricing	It is an unfair or deceptive trade practice to use dynamic pricing to change the price of a good or service sold by a store: (1) during holidays, weather events, natural disasters, supply chain disruptions or other events that can cause a sudden increased demand for goods and services; or (2) from personal data or purchasing patterns collected from customers or potential customers, whether by a facial recognition system or other digital or electronic process. A person that uses dynamic pricing to determine or change the price of goods and services sold in the person's store shall inform its customers by use of conspicuous signage inside the store: (1) of the dynamic pricing process; (2) of the factors used to change the price of the goods and services; (3) that it is an unfair or deceptive trade practice to use dynamic pricing to change the price of a good or service, as provided in Subsection B of this section; (4) if personal data or purchasing patterns of customers are being collected by the store, that a customer has the right to know how the customer's personal data is collected, if and how it is used to determine or change	Representative Silva

			the price of goods and services sold by the store and with whom the information is shared; and (5) that a customer has the option to opt out of the collection of personal data or purchasing patterns.	
New Mexico	HB215	Algorithmic Price Fixing	It is unlawful for: (1) an owner or an agent of an owner to subscribe to, contract with or otherwise exchange a form of consideration in return for the use of services of a coordinator; (2) a coordinator to facilitate an agreement among owners of separate properties that restricts competition with respect to residential dwelling units, including by performing a coordinating function; or (3) two or more rental property owners to engage in consciously parallel pricing coordination.	Representative Romero
New York	S3008	Surveillance Pricing	Any entity that sets the price of a specific good or service using personalized algorithmic pricing, and that directly or indirectly, advertises, promotes, labels or publishes a statement, display, image, offer or announcement of personalized algorithmic pricing to a consumer in New York, using personal data specific to such consumer, shall include with such statement, display, image, offer or announcement, a clear and conspicuous disclosure that states: "THIS PRICE WAS SET BY AN ALGORITHM USING YOUR PERSONAL DATA".	Finance Committee
New York	S7882	Algorithmic Price Fixing	It shall be an unlawful violation of this article for a person or entity to knowingly or with reckless disregard facilitate an agreement between or among two or more residential rental property owners or managers to not compete with respect to residential rental dwelling units, including by operating or licensing a software, data analytics service, or algorithmic device that performs a coordinating function on behalf of or between and among such residential rental property owners or managers. It shall be considered an unlawful agreement in violation of this article for a residential rental property owner or manager to knowingly or with reckless disregard set or adjust rental prices, lease renewal terms, occupancy levels, or other lease terms and conditions in one or more of their residential rental properties based on recommendations from a software, data analytics service, or algorithmic device performing a coordinating	Senator Hoylman-Sigal

			function.	
New York	S7033	Surveillance Pricing	Any person who knowingly advertises, promotes, labels or publishes a statement, display, image, offer or announcement of personalized algorithmic pricing using consumer data specific to a particular individual shall include with such statement, display, image, offer or announcement a clear and conspicuous disclosure that states: "THIS PRICE WAS SET BY AN ALGORITHM USING YOUR PERSONAL DATA".	Senator May
New York	A3437	Dynamic Pricing	No food service establishment shall use a dynamic pricing model in determining the prices on its menu. Such prices on a food service establishment's menu shall remain fixed and be posted for all menu items.	Assembly Member Santabarbara
New York	A3103	Dynamic Pricing	No covered establishment shall engage in the practice of surge pricing.	Assembly Member Solages
New York	S2697	Algorithmic Price Fixing	In setting the amount of rent to be charged to a tenant for the occupancy of a residential premises, including determining any change in the amount of rent to be charged for the renewed occupancy of a residential premises, a landlord shall not employ, use, or rely upon, or cause another person to employ, use, or rely upon, an algorithmic device that uses, incorporates, or was trained with nonpublic competitor data.	Senator Hoylman-Sigal
New York	A3930	Algorithmic Price Fixing	Real property law: 3. (a) Any landlord that uses an automated decision tool to screen applicants for housing shall notify each such applicant of the following: (i) That an automated decision tool will be used in connection with the assessment or evaluation of such applicant; (ii) The characteristics that such automated decision tool will use in the assessment of such applicant; (iii) Information about the type of data collected for such automated decision tool, the source of such data, and the landlord's data retention policy; and (iv) If an application for housing is denied through use of the automated decision tool, the reason for such denial. (b) The notice required by paragraph (a) of this subdivision shall be made no less than twenty-four	Assembly Member Rosenthal

			hours before the use of such automated decision tool and shall allow such applicant to request an alternative selection process or accommodation.	
			General business law: Use of pricing algorithmic in setting rent amount prohibited. 2. (a) In setting the amount of rent to be charged to a tenant for the occupancy of a residential premises, including determining any change in the amount of rent to be charged for the renewed occupancy of a residential premises, a landlord shall not employ, use, or rely upon, or cause another person to employ, use, or rely upon, an algorithmic pricing that uses, incorporates, or was trained with nonpublic competitor data. (b) A coordinator shall not facilitate an agreement among landlords to not compete regarding the renting of residential premises. Banking law: 3. (a) Any bank that uses an automated decision tool to screen applicants for a loan shall notify each such applicant of the following: (i) that an automated decision tool will be used in connection with the assessment or evaluation of such applicant; (ii) the characteristics that such automated decision tool will use in the assessment of such applicant; (iii) information about the type of data collected for such automated decision tool, the source of such data, and the bank's data retention policy; and (iv) if an application for a loan is denied through use of the automated decision tool, the reason for such denial. § 4. 1. The division of housing and community renewal, in conjunction with the department of financial services and the division of human rights shall conduct a study on the impact of artificial intelligence and machine learning on housing discrimination and how such artificial intelligence and machine learning may further redlining. Such study shall be completed within one year of the effective date of this act.	
North Carolina	H970	Algorithmic Price Fixing	(a) It is unlawful for any real estate lessor, or any agent or subcontractor of a real estate lessor, within North Carolina to subscribe to, contract for, or otherwise exchange anything of value in return for coordinating	Representative Longest

			functions.	
			(b) It is unlawful for any service provider to facilitate an agreement to not compete among real estate lessors with respect to residential dwelling units within the State of North Carolina.	
Ohio	SB79	Surveillance Pricing, Algorithmic Price Fixing	No person shall use or distribute a pricing algorithm that uses, incorporates, or is trained with nonpublic competitor data.	Senator Blessing
			A person that [...] provides a service or product that uses a pricing algorithm to recommend or set a price or commercial term, shall clearly disclose the following:	
			(1) To a customer, before the customer purchases the relevant product or service, that the price or a commercial term is set or recommended by a pricing algorithm;	
			(2) To a current or prospective employee or independent contractor, that the price or a commercial term for services rendered as an employee or independent contractor is set or recommended by a pricing algorithm.	
			A disclosure shall state all of the following:	
			(1) Whether the pricing algorithm sets or recommends different prices or commercial terms for either or both of the following:	
			(a) Different customers seeking identical or nearly identical products or services;	
			(b) Employees or independent contractors providing substantially similar services.	
			(2) Whether the pricing algorithm was developed or distributed by a person other than the person making the disclosure;	
			(3) The identity of the person that developed or distributed the pricing algorithm.	
Pennsylvania	HB1533	Algorithmic Price Fixing	A person that engages in the deployment of an artificial intelligence system to perform an automated or autonomous function shall be subject to criminal or civil liability, or both, for any negative outcome arising from the deployment, including:	Representative Howard
			(2) Economic misconduct, including price-fixing, bid-rigging, market allocation or fraud conducted	

			through artificial intelligence system-driven decision making. (4) Discriminatory, defamatory or otherwise harmful decision making arising from algorithmic bias or automated processing.	
Pennsylvania	HB140	Algorithmic Price Fixing	"Unfair methods of competition" and "unfair or deceptive acts or practices" mean any one or more of the following: Using algorithmic rent-setting software in setting the amount of rent to be charged, lease terms or occupancy levels for the occupancy of residential real property, including determining any change in the amount of rent to be charged for the renewed occupancy of residential and commercial real property.	Representative Krajewski
Rhode Island	H5551	Dynamic Pricing	Persons [...] shall disclose the unit price and total price to consumers in one or more of the following appropriate ways: (1) If the consumer commodity is so located that it is not conspicuously visible to the consumer, or if the consumer commodity is so located that the price information, if displayed in accordance with subdivision (2), would not be conspicuously visible to the consumer by a sign or list bearing the price information conspicuously placed near the point of procurement; or (2) By attachment of a stamp, tag, or label directly adjacent to the consumer commodity, on the shelf on which the commodity is displayed, or by stamping or affixing the price information on the commodity itself; provided, however, that upon each commodity shall be stamped or affixed the total price of the commodity in arabic numerals if and when a computerized system is used; and provided, further, that an electronic shelving label alone shall not satisfy the provisions of this subsection This act would provide that an electronic shelving label by itself would not satisfy the disclosure and display requirements for unit pricing by way of the attachment of a stamp, tag or label to the commodity.	Representative Cotter
Texas	SB2567	Price Setting	Specimen-Non-Negotiable: failure to disclose information regarding use of artificial intelligence system, or algorithmic pricing systems for setting of price.	Senator West
Texas	HB2491	Algorithmic Price Fixing	(a) The sale of algorithmic device services or products for the purpose of setting or recommending the amount	Representative Talarico

			of rent to be charged to a tenant for residential premises is prohibited. (b) A person engaged in the business of providing algorithmic device services or products for the purpose of advising a landlord of the amount of rent that the landlord may consider charging a tenant for residential premises may not use nonpublic competitor data pertaining to residential properties in this state in algorithmic calculations.	
Vermont	H371	Dynamic Pricing	A retailer using electronic shelf labels shall not use dynamic pricing to alter the retail price or unit price of a consumer commodity while the retailer is open to the public. A retailer shall not alter the retail price or unit price of a consumer commodity until at least 24 hours since the last alteration to the retail price or unit price for the consumer commodity. Moratorium: On or before January 15, 2027, a retailer shall not use electronic shelf labels or dynamic pricing to display the retail price or unit price of a consumer commodity offered for sale at a point of sale.	Representative Greer
Vermont	H389	Algorithmic Price Fixing	Restrict persons from colluding and using artificial intelligence to influence the price and supply of rental housing.	Representative Priestley
Virginia	HB2047	Algorithmic Price Fixing	No landlord shall, for the purpose of advising the landlord of the amount of rent to charge a prospective tenant for the occupancy of a dwelling unit, use, incorporate, or train an algorithmic pricing device: 1. With nonpublic competitor data; 2. To coordinate price, supply, or other rental housing information among two or more rental property owners; or 3. To otherwise enter into an agreement, contract, combination, or conspiracy in restraint of the rental housing market that constitutes an unfair method of competition If a landlord uses an algorithmic pricing device to advise him of the amount of rent to charge a prospective tenant for the occupancy of a dwelling unit, the landlord shall provide to such prospective tenant a written disclosure that states such information.	Delegate Anthony
Washington	SB5469	Algorithmic Price Fixing	It is a violation of this chapter for any landlord, in or affecting commerce, or any agent or subcontractor, to subscribe to, contract with, seek to obtain, or otherwise exchange anything of value in return for the services of	Senator Salomon

			a service provider. (2) It is a violation of this chapter for any service provider, in or affecting commerce, to coordinate two or more landlords.	

How U.S. States are Tackling Algorithmic Pricing: 2025 Bill Tracker and Analysis

Key Definitions

Term	Definition
Algorithm	<table><tr><th>State</th><th>Bill</th><th>Provided Definition</th></tr><tr><td>NY</td><td>S7033</td><td>A software, computer system, computer process, algorithmic program, or artificial intelligence that automates the setting of price.</td></tr><tr><td>NY</td><td>S7882</td><td>A computational process that uses a set of rules to define a sequence of operations.</td></tr><tr><td>MN</td><td>HF1142</td><td>Computational process, including one derived from machine learning, statistics, or other data processing or artificial intelligence techniques that makes decisions; and "artificial intelligence" means a technology system that can learn, adapt, and make decisions based on data, often using complex algorithms.</td></tr></table>
Algorithmic device	<table><tr><th>State</th><th>Bill</th><th>Provided Definition</th></tr><tr><td>CO</td><td>HB1004</td><td>A device that uses one or more algorithms to perform calculations of data, including data concerning local or statewide rent amounts being charged to tenants by landlords, for the purpose of advising a landlord concerning the amount of rent, level of occupancy, or other commercial term associated with rental housing. "algorithmic device": (i) includes a product that incorporates an algorithmic device; and (ii) does not include: (a) a product that provides information to the public and not for the purpose of recommending or setting a commercial term by two or more persons in the same market or a related market, so long as the information was not trained using nonpublic competitor data; (b) a product used for the purpose of establishing rent or income limits in accordance with the affordable housing program guidelines of the state, the federal government, a local government, or other political subdivision; or (c) a multiple listing service.</td></tr><tr><td>CT</td><td>HB7209</td><td>A device commonly known as revenue management software that uses one or more algorithms to perform calculations of nonpublic competitor data concerning local or state-wide rents or occupancy levels, for the purpose of advising a landlord on (A) whether to leave a unit vacant; or (B) the amount of rent that the landlord may obtain for a unit. "Algorithmic device" includes a product that incorporates an algorithmic device, but does not include: (i) A report that publishes existing rental data in an aggregated manner but does not</td></tr></table>

		recommend rental rates or occupancy levels for future leases; or (ii) a product used for the purpose of establishing rent or income limits in accordance with the affordable housing program guidelines of a local, state or federal program.
IL	HB1427	A device that uses one or more algorithms to perform calculations of data, including data concerning local or statewide rent amounts being charged to tenants by landlords, for the purpose of advising a landlord concerning the amount of rent that the landlord may consider charging a tenant. It includes a product that incorporates an algorithmic device but does not include: (1) any report published periodically, but no more frequently than monthly, by a trade association that receives renter data and publishes it in an aggregated and anonymous manner; or (2) a product used for the purpose of establishing rent or income limits in accordance with the affordable housing program guidelines of a local government, the State, the federal government, or other political subdivision.
KY	HB358	A device that uses one (1) or more algorithms to perform calculations of data, including data concerning local or statewide rent amounts being charged to tenants by landlords, for the purpose of advising a landlord concerning the amount of rent that the landlord may consider charging a tenant; (b) Includes a product that incorporates an algorithmic device; and (c) Does not include a product designed internally and used exclusively by a landlord or a landlord's affiliates.
MA	SB994	Any computational process, including a computational process derived from machine learning or other artificial intelligence techniques, that processes or calculates nonpublic competitor data for the purpose of advising a lessor or landlord concerning the amount of rent that the lessor or landlord may consider charging a tenant; provided, however that "algorithmic device" shall not include: (i) any report published periodically, but not more frequently than monthly, by a trade association that receives renter data and publishes it in an aggregated and anonymous matter; or (ii) a product used for the purpose of establishing rent or income limits in accordance with the affordable housing program guidelines of a local government, the commonwealth, the federal government or other political subdivision.
MD	SB609	A device that uses one or more algorithms to perform calculations of data, including data concerning local or statewide rent amounts being charged to tenants by landlords, to advise a landlord on the amount of rent that the landlord may consider charging a tenant. (ii) "algorithmic device" includes a product that incorporates an algorithmic device.

			(iii) "algorithmic device" does not include: 1. a periodic report published not more frequently than once per month by a trade association that receives renter data and publishes it in an aggregated and anonymous manner; or 2. a product used for the purpose of establishing rent or income limits in accordance with the affordable housing program guidelines of a local government, the state, the federal government, or another political subdivision.
	MN	HF1142	Device that uses one or more algorithms to perform calculations of data, including data concerning local or statewide rent amounts being charged to tenants by landlords for the purpose of advising a landlord on the amount of rent the landlord may want to consider charging a tenant, including devices and software more commonly known as revenue management software. An algorithmic device includes a product that incorporates an algorithmic device, but does not include a report by a trade association that publishes renter data in the aggregate and anonymous manner, nor does it include a product that establishes rent or income limits in accordance with the affordable housing program guidelines of a local government, the state, or a federal government law or program.
	NY	S7882	Any machine, device, computer program or computer software that on its own or with human assistance performs a coordinating function.
	NY	S2697	A device that uses one or more algorithms to perform calculations of data, including data concerning local or statewide rent amounts being charged to tenants by landlords, for the purpose of advising a landlord concerning the amount of rent that the landlord may consider charging a tenant. "Algorithmic device": (i) includes a product that incorporates an algorithmic device; and (ii) does not include: (A) any report published periodically, but no more frequently than monthly, by a trade association that receives renter data and publishes it in an aggregated and anonymous manner; or (B) a product used for the purpose of establishing rent or income limits in accordance with the affordable housing program guidelines of a local government, the state, the federal government, or other political subdivision.
	TX	HB2491	A device that uses one or more algorithms to perform calculations of data. The term includes a product that incorporates an algorithmic device. The term does not include: (A) a report published periodically and not more frequently than monthly by a trade association that receives and publishes data in an aggregated and anonymous manner; or

		(B) a product used for the purpose of establishing rent or income limits in accordance with the affordable housing program guidelines of a political subdivision, this state, or the federal government.

Algorithmic pricing

State	Bill	Provided Definition
AZ	HB2847	(a) Any computational process that processes data to recommend or set a price or commercial terms that is in or affecting interstate or foreign commerce. (b) Includes computational process derived from machine learning or other artificial intelligence techniques.

Algorithmic pricing system/ device

State	Bill	Provided Definition
CA	SB259	"Algorithmic pricing system" is a computational process that uses a set of rules to define a sequence of operations.
MI	HB4538	"Algorithmic pricing device" means a device that uses 1 or more algorithms to perform calculations of data, including data concerning local or statewide rent amounts being charged to tenants by landlords, for the purpose of advising a landlord of the amount of rent that the landlord may consider charging a prospective tenant or tenant. Algorithmic pricing device includes a service or product that incorporates an algorithmic pricing device. Algorithmic pricing device does not include any of the following: (i) Any report published periodically, but not more frequently than monthly, by a trade association that receives tenant data and publishes it in an aggregated and anonymous manner. (ii) A product used for establishing rent or income limits in accordance with the affordable housing program guidelines of a local government, this state, the United States government, or a political subdivision of this state.
TX	SB2567	"Algorithmic pricing systems" means any condition in which an artificial intelligence system when deployed generates recommendations on pricing.
VA	HB2047	"Algorithmic pricing device" is a device that uses one or more algorithms to perform calculations of data, including data concerning local or statewide rent amount s being charged to tenants by landlords, for the purpose of advising a landlord of the amount of rent that the landlord may consider charging a tenant. "Algorithmic pricing device" includes a service or product that incorporates an algorithmic pricing device but does not include (i) any report published periodically, but no more frequently than monthly, by a trade association that receives tenant data and publishes it in an

		aggregated and anonymous manner or (ii) a product used for the purpose of establishing rent or income limits in accordance with the affordable housing program guidelines of a local government, the Commonwealth, the federal government, or other political subdivision

Artificial intelligence/ Artificial intelligence system

State	Bill	Provided Definition
CA	SB384	An engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence a physical or virtual environment.
MA	HB94	Any machine-based system that processes inputs to generate outputs, including content, decisions, predictions, or recommendations, that influence physical or virtual environments.
MN	SF3098	A machine-based system that, for an explicit or implicit objective, infers from the inputs the system receives how to generate outputs, including content, decisions, predictions, or recommendations, that are capable of influencing physical or virtual environments.
NV	SB199	Any machine-based system that, for any explicit or implicit objective, infers from the inputs such system receives how to generate outputs, including, without limitation, content, decisions, predictions or recommendations, that can influence physical or virtual environments.
PA	HB1533	(1) A machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations or decisions influencing real or virtual environments, including the ability to: (i) Perceive real and virtual environments. (ii) Abstract perceptions made under this paragraph into models through analysis in an automated manner. (iii) Use model inference to formulate options for information or action based on outcomes under subparagraphs (i) and (ii).
TX	SB2567	The use of machine learning and related technologies that use data to train statistical models for the purpose of enabling computer systems to perform tasks normally associated with human intelligence or perception, such as computer vision, speech or natural language processing, and content generation.

Automated decision system/ tool

State	Bill	Provided Definition
CO	HB1264	A system, software, or process that uses computation, the result of which is used to assist or replace human decision-making. Includes a system, software, or process derived from machine learning, statistics, or other data processing or artificial intelligence techniques

	State	Bill	Provided Definition
			and excludes passive computing infrastructure.
	GA	SB164	Any system, software, or process, including one derived from machine learning, statistics, or other data processing or artificial intelligence techniques and excluding passive computing infrastructure, that uses computation, which is used to assist or replace human decision making.
	IL	SB2255	Any system, software, or process, including one derived from machine learning, statistics, or other data processing or artificial intelligence techniques and excluding passive computing infrastructure, that uses computation, the result of which is used to assist or replace human decision-making.
	NY	A3930	Any computational process, derived from machine learning, statistical modeling, data analytics, or artificial intelligence, that issues simplified output, including a score, classification, or recommendation, that is used to substantially assist or replace discretionary decision making for making housing decisions that impact natural persons. "Automated decision tool" does not include a tool that does not automate, support, substantially assist, or replace discretionary decision-making processes and that does not materially impact natural persons, including, but not limited to, a junk email filter, firewall, antivirus software, calculator, spreadsheet, database, data set, or other compilation of data.

Behaviors

State	Bill	Provided Definition
CO	HB1264	An individual's observable, measurable, or inferred actions, habits, preferences, interests, or vulnerabilities, including the individual's political, personal, or professional affiliations, web browsing history, ip addresses used, locations frequented, purchase history, financial circumstances, consumer behaviors, or inferences associated with a group, band, class, or tier of individuals in which the individual belongs.
GA	SB164	An individual's observable, measurable, or inferred actions, habits, preferences, interests, or vulnerabilities, including an individual's political, personal, or professional affiliations, web browsing history, IP addresses, locations frequented, purchase history, financial circumstances, consumer behaviors, or inferences associated with a group, band, class, or tier of individuals of which the individual is associated.
IL	SB2255	An individual's observable, measurable, or inferred actions, habits, preferences, interests, or vulnerabilities, including an individual's political, personal, or professional affiliations, web browsing history, purchase history, financial circumstances, or consumer behaviors.

Biometrics/

How U.S. States are Tackling Algorithmic Pricing: 2025 Bill Tracker and Analysis

<table>
<tr><td rowspan="5">Biometric data/
Biometric information</td><td>State</td><td>Bill</td><td>Provided Definition</td></tr>
<tr><td>CO</td><td>HB1264</td><td>"Biometrics" means data or information generated by the technological processing, measurement, or analysis of a consumer's or worker's biological, physical, or behavioral characteristics, which data or information can be processed for the purpose of uniquely identifying an individual.

(b) "biometrics" includes: (i) a fingerprint; (ii) a voiceprint; (iii) a scan or record of an eye retina or iris; (iv) a facial map, facial geometry, or facial template; (v) genetic information; or (vi) other unique biological, physical, or behavioral patterns or characteristics.</td></tr>
<tr><td>GA</td><td>SB164</td><td>'Biometrics' means data or information generated by the technological, processing, measurement, or analysis of a consumer or worker's biological, physical, or behavioral characteristics which can be processed for the purpose of uniquely identifying an individual. Such term includes a fingerprint; a voice print; a scan or record of an eye retina or iris image; a facial map, geometry, or template; genetic information; or other unique biological, physical, or behavioral patterns or characteristics.</td></tr>
<tr><td>IL</td><td>SB2255</td><td>"Biometric information" means data or information generated by the technological, processing, measurement, or analysis of a consumer's or employee's biological, physical, or behavioral characteristics, that can be used for the purpose of uniquely identifying an individual. "Biometric information" includes fingerprints, voiceprints, scans or records of an eye retina or iris, facial maps, facial geometry, facial templates, genetic information, or other unique biological, physical, or behavioral patterns or characteristics.</td></tr>
<tr><td>MA</td><td>SB2515</td><td>"Biometric data", any data generated by automatic measurements of an individual's biological characteristics, such as a faceprint, fingerprint, a voiceprint, eye retinas, irises, gait, or other unique biological patterns or characteristics that can be used to identify a specific individual.</td></tr>
<tr><td rowspan="4">Coordinator/
Service Provider</td><td>State</td><td>Bill</td><td>Provided Definition</td></tr>
<tr><td>GA</td><td>HB679</td><td>'Coordinator' means an individual who uses or causes to be used a system, software, or process that performs a coordinating function for one or more landlords that compete in the same or a similar market, including a landlord that is performing a coordinating function for the landlord's own benefit.</td></tr>
<tr><td>HI</td><td>HB831</td><td>"Coordinator" means any person who operates a software or data analytics service that performs a coordinating function for any rental property owner, including a rental property owner performing a coordinating function for their own benefit.</td></tr>
<tr><td>ID</td><td>H203</td><td>"Service provider" means any person that performs a coordination</td></tr>
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Consumer Reports

State	Bill	Provided Definition
		function for any seller or buyer of a good or service, including through the use or distribution of a pricing algorithm.
IL	SB1996	"Real estate service provider" means any person who performs a coordination function for any real estate lessor.
MA	SB994	"Coordinator", any person who operates an algorithmic device, software or data analytics service that performs a coordinating function for any residential rental property lessor or landlord, including a residential rental property lessor or landlord performing a coordinating function for their own benefit.
MA	HB1564	"Service provider", any person that performs a coordination function for any real estate lessor or rentor.
NM	HB215	"Coordinator" means a person who operates a software or data analytics service that performs a coordinating function for an owner, including a rental property owner performing a coordinating function for the rental property owner's own benefit. "Coordinator" does not include: (a) a government entity that sets or limits rent or sale prices in accordance with a rental price restriction program; or (b) a software or data analytics service or entity that: 1) generates or uses any report that provides rental data in an aggregated manner and does not recommend rent prices, fees, occupancy rates or other rental contract terms for future leases; or 2) provides or uses rental data for the purpose of conducting research, statistics, testing or training for software development.
NY	A3930	"Coordinator" shall mean any operator of a software or data analytics service that performs a coordinating function for any landlord, including a landlord performing a coordinating function for such landlord's own benefit.
WA	SB5469	"Service provider" means any person that performs a coordinating function.

Coordinating function

State	Bill	Provided Definition
HI	HB831	(1) Collecting historical or contemporaneous prices, supply levels, or lease or rental contract termination and renewal dates of residential dwelling units from two or more rental property owners; (2) Analyzing or processing of the information described in paragraph (1) through use of a system, software, or process that uses computation, including by using the information to train an algorithm; and (3) Recommending rental prices, lease renewal terms, or ideal

			occupancy levels to a rental property owner.
IL	SB1996		"Coordinate" and "coordinating" mean, with respect to a real estate service provider:
			(1) collecting of historical or contemporaneous prices, price changes, supply levels, occupancy rates, or lease or rental contract termination and renewal dates of residential dwelling units from 2 or more real estate lessors or from public databases;
			(2) analyzing or processing of the information described in paragraph (1) using a system, software, or process that uses computation; and
			(3) recommending rental prices, lease terms, or occupancy levels to a real estate lessor.
MA	SB994		Any action that includes: (i) collecting historical or contemporaneous prices, supply levels or lease or rental contract termination and renewal dates of residential dwelling units from two or more rental property lessors or landlords; (ii) analyzing or processing of historical or contemporaneous prices, supply levels or lease or rental contract termination and renewal dates of residential dwelling units from two or more rental property lessors or landlords through use of a system, software or process that uses computation, including by using the information to train an algorithm; and (iii) recommending rental prices, lease renewal terms or ideal occupancy levels to a rental property lessor or landlord.
	HB1564		"Coordinate", with respect to a service provider, the:
			(i) collecting of historical or contemporaneous prices, price changes, supply levels, occupancy rates or lease or rental contract termination and renewal dates of residential dwelling units;
			(ii) analyzing or processing of the information described in clause (i), including with the use of a system, software or process that uses computation; and
			(iii) recommending of rental prices, lease terms, occupancy levels, or other commercial term to a real estate lessor.
NC	H970		Coordinate or coordinating function. – Any of the following with respect to a service provider:
			a. Collecting of historical or contemporaneous prices, price changes, supply levels, occupancy rates, or lease or rental contract termination and renewal dates of residential dwelling units from two or more real estate lessors or from public databases.
			b. Analyzing or processing of the information described in sub-subdivision a. of this subdivision using a system, software, or process that uses computation.

			c. Recommending rental prices, lease terms, or occupancy levels to a real estate lessor. d. Using a pricing algorithm that uses, incorporates, or was trained with nonpublic competitor data to set the amount of rent for a residential dwelling unit or any other commercial term contained within a residential rental agreement.
	NM	HB215	(a) collecting historical or contemporaneous prices, supply levels or lease or rental contract termination and renewal dates of dwelling units from two or more rental property owners; (b) analyzing or processing of the information described in Subparagraph (a) of this paragraph through use of a system, software or process that uses computation, including by using the information to train an algorithm; and (c) recommending rent prices, lease renewal terms or occupancy levels to an owner
	NY	S7882	Performing all of the following subfunctions, provided, however, that a product used for the purpose of establishing rent or income limits in accordance with the emergency tenant protection act of nineteen seventy-four, as amended, the rent stabilization law of nineteen sixty-nine, as amended, the city rent and rehabilitation law, the emergency housing rent control law, or an affordable housing program administered by a federal, state, or local government or other political subdivision shall not be considered to be performing a coordinating function: (i) collecting historical or contemporaneous prices, supply levels, or lease or rental contract termination and renewal dates of residential dwelling units from two or more residential rental property owners or managers, provided that at least two such residential rental property owners or managers are not wholly-owned subsidiaries of the same parent entity or otherwise owned or managed by the same residential rental property owner or manager; (ii) analyzing or processing the information described in subparagraph (i) of this paragraph using a system, software, or process that uses computation, including by using that information to train an algorithm; and (iii) recommending rental prices, lease renewal terms, ideal occupancy levels, or other lease terms and conditions to a residential rental property owner or manager.
	WA	SB5469	The act of a service provider that: (a) Collects historical, anticipated, or contemporary prices, price changes, supply levels, occupancy rates, or lease or rental contract

		termination and renewal dates of residential dwelling units from two or more landlords, from private databases, or from public databases; and (b) Analyzes or processes the information described in (a) of this subsection through the use of a system, software, algorithm, or other automated process to provide recommendations regarding rental prices, lease renewal terms, or occupancy levels to more than one landlord, except the terms "coordinating" or "coordinate" do not include the publication of rental price estimates that: (i) Are solely based on publicly available information; (ii) are equally available to all members of the public; and (iii) do not require a contract, agreement, or license to obtain.

Dynamic Pricing

State	Bill	Provided Definition
HI	HB465	The practice of fluctuating prices based on demand, the season, consumer data, or other factors, including but not limited to artificial intelligence-enabled pricing adjustments.
ME	SP748	A digital process that uses a software program to determine or change the price of a good or service displayed on an electronic shelf label in a grocery store.
ME	HP1055	The practice of causing a price for a good or a product to fluctuate based upon demand, the weather, consumer data or other similar factors including an artificial intelligence-enabled pricing adjustment. "Dynamic pricing" does not include a price that deviates from a standard price for a reason other than demand, the weather, consumer data or other similar factors including an artificial intelligence-enabled pricing adjustment and also does not include: (1) A discount; (2) A special price set for a limited period of time, such as a lunch menu, early bird or happy hour price; or (3) A market price for a good or product that traditionally has been priced based upon market conditions, such as seafood, except that a market price may only be set once in a business day.
NM	HB285	A digital process that uses a software program to determine or change the price of a good or service displayed on an electronic shelving label in a store.
NY	A3437	The practice of fluctuating prices based on demand, the season, or other factors, including, but not limited to, artificial intelligence-enabled pricing adjustments.
	S3008	Pricing that fluctuates dependent on conditions.

		S7033	Pricing that fluctuates dependent on conditions where models retrain or recalibrate on information in near real-time, excluding promotional pricing offers, loyalty program benefits or other temporary discounts or changes to pricing related to retention of existing customers.
		A3103	The practice of both increasing and decreasing prices, based on market conditions, the season and supply changes; and
	VT	H371	The use of artificial intelligence to adjust the prices on the electronic shelf labels of consumer commodities at any given moment.

	State	Bill	Provided Definition
Electronic Shelf Label (ESL)	ME	SP748	A digital label or price tag that displays the price of a good or service offered by a grocery store.
	NM	HB285	A digital label or price tag that displays the price of a good or service offered for sale by a store.
	RI	H5551	Any remote-controlled digital display used to indicate the retail, unit, and/or total price to the ultimate consumer.
	VT	H371	Digital wireless display systems that retailers use to show product prices at the point of sale.

	State	Bill	Provided Definition
Genetic information	CO	HB1264	Meaning set forth in Section 10-3-1104.6 (2)(c). (I) information about an individual's genetic test, the genetic tests of family members of the individual, and the manifestation of a disease or disorder in family members of the individual. "Genetic information" includes any request for, or receipt of, genetic services with respect to an individual, or participation by an individual or the family member of an individual in clinical research that includes genetic services. (II) With regard to an individual who is pregnant, "genetic information" includes genetic information of the fetus carried by the pregnant individual. With regard to an individual or family member using reproductive technology, "genetic information" includes genetic information of any embryo legally held by an individual or family member. (III) "Genetic information" does not include information about the sex or age of an individual.
	GA	SB164	Information about an individual's genetic test, the genetic tests of family members of such individual, and the manifestation of a disease or disorder in such individual's family members. Such term includes any request for, or receipt of, genetic services with respect to an individual, or participation by such individual or such individual's

	State	Bill	Provided Definition
			family members in clinical research that includes such genetic services. Such term includes genetic information of a fetus carried by a pregnant individual. Such term includes genetic information of any embryo legally held by an individual or such individual's family member utilizing reproductive technology. Such term does not include information about the sex or age of an individual.
	IL	SB2255	Meaning set forth in the Health Insurance Portability and Accountability Act of 1996, as specified in 45 CFR 160.103 (1) Subject to paragraphs (2) and (3) of this definition, with respect to an individual, information about: (i) The individual's genetic tests; (ii) The genetic tests of family members of the individual; (iii) The manifestation of a disease or disorder in family members of such individual; or (iv) Any request for, or receipt of, genetic services, or participation in clinical research which includes genetic services, by the individual or any family member of the individual. (2) Any reference in this subchapter to genetic information concerning an individual or family member of an individual shall include the genetic information of: (i) A fetus carried by the individual or family member who is a pregnant woman; and (ii) Any embryo legally held by an individual or family member utilizing an assisted reproductive technology. (3) Genetic information excludes information about the sex or age of any individual.

Individualized

State	Bill	Provided Definition
CO	HB1264	Specific to or inferred about an individual or group, band, class, or tier of individuals with particular personal characteristics, behaviors, or biometrics.
GA	SB164	Specific to or inferences about an individual or group, band, class, or tier of individuals with particular personal characteristics, behaviors, or biometrics.
IL	SB2255	Specific to an individual or group, band, class, or tier of individuals with particular personal characteristics, behaviors, or biometric information.

Nonpublic competitor data

State	Bill	Provided Definition
AZ	HB2847	(a) Nonpublic data that is derived from or otherwise provided by another person that competes in the same market as a person or a related market.

			(b) Does not include information distributed, reported or otherwise communicated in a way that does not reveal any underlying data from a competitor such as narrative industry reports, news reports, business commentaries or generalized industry survey results.
	CA	SB52	Nonpublic data derived from two or more persons, directly or indirectly, including information about actual rental rates, lease terms, occupancy rates, and similar data, regardless of whether the information is attributable to a specific competitor or anonymized, and regardless of whether the information is derived from or otherwise provided by another person that competes in the same or a related market. (B) "Nonpublic competitor data" does not include any of the following: (i) Information regarding actual rent amounts charged to a tenant, occupancy rates, and lease start and end dates that are obtained from the following publicly accessible sources: (I) Advertisements of available rental properties, including listings published on internet websites maintained by a property owner or manager. (II) Rental registries maintained by a city, county, city and county, or state or federal agency. (ii) Information obtained from the United States Census Bureau or State Census Data Center. (iii) Aggregated information distributed, reported, or otherwise communicated in a way that is not reasonably linkable to a competitor, such as narrative industry reports, news reports, business commentaries, or generalized industry survey results, provided that such aggregated information is not derived from sources which may be considered nonpublic competitor data. (iv) Other forums, including internet websites, in which information about actual rent amounts charged to a tenant, occupancy rates, or lease start and end dates is equally accessible to tenants or prospective tenants and landlords.
	CO	HB1004	Nonpublic data, including information about actual rent prices, occupancy rates, lease start and end dates, and similar data, regardless of whether the data are attributable to a specific competitor or anonymized, that are derived from or otherwise provided by a person that competes in the same market, or in a related market, as another person.
	CT	HB7209	Information that is not available to the general public, including information about actual rent amounts, occupancy rates, lease start and end dates and other similar data, regardless of whether the information is (A) attributable to a specific competitor or anonymized,

		and (B) derived from or otherwise provided by another person that competes in the same or a related market.
IL	HB1427	Information that is not widely available or easily accessible to the public, including information about actual rent prices, occupancy rates, lease start and end dates, and similar data, regardless of whether the data are attributable to a specific competitor or anonymized, and that is derived from or otherwise provided by another person that competes in the same market as a person, or a related market.
MA	SB994	Information that is not widely available or easily accessible to the public, including information about actual rent prices, occupancy rates, lease start and end dates, and similar data, regardless of whether the data are attributable to a specific competitor or anonymized, and that is derived from or otherwise provided by another person that competes in the same market as a person, or a related market.
MD	SB609	Information that is: 1. not widely available or easily accessible to the public regardless of whether the information is attributable to a specific competitor or anonymized; and 2. derived from or otherwise provided to a person by another person that competes in the same market as the person, or in a related market. (ii) "nonpublic competitor data" includes information regarding: 1. actual rent prices; 2. occupancy rates; 3. lease start and end dates; and 4. other similar information.
MI	HB4538	Information that is not widely available or easily accessible to the public, including information about actual rent prices, occupancy rates, rental agreement start and end dates, or similar data, regardless of whether the data is attributable to a specific competitor or is anonymous, and that is derived from or otherwise provided by another person that competes in the same market as a person or a related market.
MN	HF1142	Information that is not widely available or easily accessed by the public, including information about actual rent prices, occupancy rates, lease start and end dates, and similar data, regardless of whether the data are attributable to a specific competitor or anonymized, when the data are derived from or otherwise provided by

			another person that competes in the same housing market or in a related housing or rental market.
NC	H970		Nonpublic data that is derived from or otherwise provided by another person that competes in the same market as a person, or a related market. This term does not include information distributed, reported, or otherwise communicated in a way that does not reveal any underlying data from a competitor, such as narrative industry reports, news reports, business commentaries, or generalized industry survey results.
NY	S2697		Information that is not widely available or easily accessible to the public, including information about actual rent prices, occupancy rates, lease start and end dates, and similar data, regardless of whether the data are attributable to a specific competitor or anonymized, and that is derived from or otherwise provided by another person that competes in the same market as a person, or a related market.
	A3930		(i) Shall mean nonpublic data that is derived from or otherwise provided by another person that competes in the same market as a person, or a related market; and (ii) Does not include information distributed, reported, or otherwise communicated in a way that does not reveal any underlying data from a competitor, such as narrative industry reports, news reports, business commentaries, or generalized industry survey results.
OH	SB79		Nonpublic data that is derived from or otherwise provided by another person that competes in the same market as a person, or a related market. "Nonpublic competitor data" does not include information distributed, reported, or otherwise communicated in a way that does not reveal any underlying data from a competitor, such as narrative industry reports, news reports, business commentaries, or generalized industry survey results.
TX	HB2491		Information that: (A) is not widely available or easily accessible to the public, including information about actual rent prices, occupancy rates, and lease start and end dates, regardless of whether the data is attributable to a specific competitor or anonymized; and (B) is derived from or otherwise provided to a person by another person that competes in the same or a related market.
VA	HB2047		Information that is not widely available or easily accessible to the public, including information about actual rent prices, occupancy rates, rental agreement start and end dates, and similar data, regardless of whether the data is attributable to a specific competitor

			or anonymized, and that is derived from or otherwise provided by another person that competes in the same market as a person or a related market.

Personal characteristics

State	Bill	Provided Definition
CO	HB1264	Individual qualities, features, attributes, or traits, including immutable characteristics such as race and eye color, mutable characteristics such as address, weight, citizenship, or parenthood status, and any other personal identifying information, that could be used to uncover an individual's identity, including a social security number, full name, or phone number.
GA	SB164	Individual qualities, features, attributes, or traits, including immutable characteristics such as race and eye color; mutable characteristics such as a mailing address, weight, citizenship, or parental status; and any other personally identifiable information that could be used to uncover an individual's identity, including social security number, full name, or telephone number.
IL	SB2255	Individual qualities, features, attributes, or traits, including immutable characteristics, such as race and eye color, mutable characteristics, such as address, weight, citizenship, or parenthood status, and any other personally identifiable information that could be used to identify an individual, including social security number, name, or phone number.

Personalized algorithmic pricing

State	Bill	Provided Definition
NY	S3008	Dynamic pricing set by an algorithm that uses personal data as defined in this section.
	S7033	Dynamic pricing derived from or set by an algorithm that uses consumer data as defined in this section, which may vary among individual consumers or consumer populations.

Personal data/ personal information

State	Bill	Provided Definition
CA	AB446	"Personally identifiable information" has the same meaning as "personal information" as defined in paragraph (1) of subdivision (v) of Section 1798.140 of the Civil Code and any regulations promulgated thereunder. Information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. Personal information includes, but is not limited to, the following if it identifies, relates to, describes, is reasonably capable of being associated with,

			or could be reasonably linked, directly or indirectly, with a particular consumer or household:
			(A) Identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, social security number, driver's license number, passport number, or other similar identifiers.
			(B) Any personal information described in subdivision (e) of Section 1798.80.
			(C) Characteristics of protected classifications under California or federal law.
			(D) Commercial information, including records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
			(E) Biometric information.
			(F) Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer's interaction with an internet website application, or advertisement.
			(G) Geolocation data.
			(H) Audio, electronic, visual, thermal, olfactory, or similar information.
			(I) Professional or employment-related information.
			(J) Education information, defined as information that is not publicly available personally identifiable information as defined in the Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g; 34 C.F.R. Part 99).
			(K) Inferences drawn from any of the information identified in this subdivision to create a profile about a consumer reflecting the consumer's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.
			(L) Sensitive personal information.
	NY	S7033	Any data that identifies or could reasonably be linked, directly or indirectly, with a specific natural person or device, excluding location data.

Pricing algorithm	State	Bill	Provided Definition

State	Bill	Provided Definition
ID	H203	Any analytical or computational process, including a process derived from machine learning, artificial intelligence, or other mathematical function that recommends or sets a price, volume of supply, or any other commercial term related to the sale or purchase of a good or service.
NC	H970	Any process using calculations that analyzes data for the purpose of recommending or setting prices or commercial terms, including processes that utilize machine learning or other artificial intelligence techniques.
NY	A3930	Any computational process, including a computational process derived from machine learning or other artificial intelligence techniques, that processes data to recommend or set a price or commercial term that is in or affecting interstate or foreign commerce.
OH	SB79	Any computational process, including a computational process derived from machine learning or other artificial intelligence techniques, that processes data to recommend or set a price or commercial term that is in or affecting commerce in this state.

Price fixing

State	Bill	Provided Definition
GA	HB679	Any agreement between two or more landlords that compete in the same or a similar market to raise, lower, change, maintain, or otherwise manipulate the rental price of two or more residential properties based on a price-fixing function

Price fixing function

State	Bill	Provided Definition
GA	HB679	(A) Collecting historical or contemporaneous rental prices, supply levels, or rental agreement termination and renewal dates of residential properties, including nonpublic information, from two or more landlords that compete in the same or a similar market; (B) Analyzing or processing the information described in subparagraph (A) of this paragraph through the use of a system, software, or process that uses computation, including, but not limited to, a computational process that uses machine learning or other artificial intelligence techniques; and (C) Recommending rental prices, rental agreement renewal terms, or ideal occupancy levels to a landlord.

Price-setting algorithm

State	Bill	Provided Definition

	CA	SB384	A software, computer system, computer process, algorithmic program, or artificial intelligence that processes nonpublic input data for the purpose of producing a pricing or rental strategy. (B) "Price-setting algorithm" does not include a multiple listing service, as that term is defined in Section 1087 of the Civil Code.

Surge pricing	State	Bill	Provided Definition
	NY	A3103	The practice of raising prices when demand for a service is strong and lowering prices when demand for goods or services is weak in the absence of changes in market conditions, the season and supply.

Surveillance pricing/ Surveillance based price discrimination	State	Bill	Provided Definition
	CA	AB446	'Surveillance pricing' means offering or setting a customized price for a good or service for a specific consumer or group of consumers, based, in whole or in part, on covered information collected through electronic surveillance technology. "Surveillance pricing" includes the use of technological methods, systems, or tools, including, but not limited to, sensors, cameras, device tracking, biometric monitoring, or other forms of observation or data collection, that are capable of gathering covered information about a consumer's behavior, characteristics, location, or other personal attributes, whether in physical or digital environments.
	CO	HB1264	"Surveillance-based price discrimination" means using an automated decision system to inform individualized prices based on surveillance data regarding a consumer.
	GA	SB164	'Surveillance based price discrimination' means using an automated decision system to inform individualized prices based on surveillance data regarding a consumer.

Surveillance based wage discrimination	State	Bill	Provided Definition
	CO	HB1264	Using an automated decision system to inform individualized wages based on surveillance data regarding a worker.
	GA	SB164	Using an automated decision system to inform individualized wages based on surveillance data regarding a worker.

Surveillance data	State	Bill	Provided Definition
	CO	HB1264	Data obtained through observation, inference, or surveillance of a consumer or worker that is related to personal characteristics, behaviors, or biometrics of the individual or a group, band, class, or tier

		in which the individual belongs. "Surveillance data" includes information gathered, purchased, or otherwise acquired.
IL	SB2255	Data obtained through observation, inference, or surveillance of a consumer or employee that is related to personal characteristics, behaviors, or biometric information of the individual or group, band, class, or tier of individuals of which the individual is a part. "Surveillance data" includes information gathered, purchased, or otherwise acquired.

Unit price

State	Bill	Provided Definition
RI	H5551	The retail price of a consumer commodity expressed in terms of the retail price of the commodity per the unit of weight, measure, or count, as the director designates, computed to the nearest whole cent or fraction thereof as the director designates.
VT	H371	The retail price of a consumer commodity expressed in terms of the retail price of such commodity per such unit of weight, measure, or count as the Secretary of Agriculture, Food and Markets designates, computed to the nearest whole cent or fraction thereof as the Secretary designates.