



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4248

Introduced 1/14/2026, by Rep. Kam Buckner - Harry Benton - Mary Beth Canty - Michael Crawford, Suzanne M. Ness, et al.

SYNOPSIS AS INTRODUCED:

New Act
815 ILCS 505/2MMMM new

Creates the Algorithmic Pricing Transparency Act. Provides that any person or entity that sells or offers to sell goods or services through an online platform to consumers in this State shall provide a clear and conspicuous disclosure if the price displayed to a consumer is generated using surveillance pricing. Provides that a consumer may opt out of surveillance pricing and a covered entity shall provide the consumer with a non-personalized baseline price for the goods or services. Prohibits a covered entity from using specified personal information to generate algorithmic pricing. Provides that a violation of the Act is an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act. Amends the Consumer Fraud and Deceptive Business Practices Act to make a conforming change. Effective one year after becoming law.

LRB104 16598 SPS 29998 b

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Algorithmic Pricing Transparency Act.

6 Section 5. Legislative findings. The General Assembly
7 finds and declares:

8 (1) Consumers increasingly purchase goods and services
9 through online platforms that collect and process browsing
10 behavior, geolocation data, purchase history, and other
11 personal data.

12 (2) Businesses use automated systems and data-driven
13 algorithms to generate prices that may vary among
14 consumers for the same goods or services.

15 (3) These practices, sometimes referred to as
16 "surveillance pricing", may limit a consumer's ability to
17 comparison-shop and may enable pricing based on a
18 consumer's perceived willingness to pay.

19 (4) Transparency regarding the use of personal data in
20 pricing practices is necessary to promote fair dealing,
21 consumer protection, and market integrity.

22 Section 10. Definitions. As used in this Act:

1 "Algorithmic pricing" means a price for goods or services
2 generated, in whole or in part, using an automated decision
3 system, machine-learning model, or data-driven algorithm.

4 "Clear and conspicuous" means a disclosure that is easily
5 noticeable, understandable, and proximate to the pricing
6 information presented to the consumer.

7 "Covered entity" means any person or entity that sells or
8 offers to sell goods or services through an online platform to
9 consumers in this State.

10 "Personal data" means information linked or reasonably
11 linkable to a consumer, including, but not limited to,
12 browsing history, search queries, geolocation data, prior
13 purchases, digital identifiers, or demographic profile data.

14 "Surveillance pricing" means algorithmic pricing that uses
15 a consumer's personal data to generate a personalized price.

16 Section 15. Mandatory disclosure of surveillance pricing.

17 (a) A covered entity shall provide a clear and conspicuous
18 disclosure if the price displayed to a consumer is generated
19 using surveillance pricing.

20 (b) The disclosure required under subsection (a) shall be
21 considered proximate to the pricing information if it is
22 presented next to the price, at the point of checkout, or
23 through a notice presented before completion of the
24 transaction.

25 (c) The disclosure required under subsection (a) shall:

- 1 (1) state that the price is personalized;
- 2 (2) identify the categories of personal data used to
3 generate the price; and
- 4 (3) provide a hyperlink or equivalent mechanism
5 directing the consumer to an explanation of the covered
6 entity's algorithmic pricing practices.

7 Section 20. Consumer rights.

8 (a) A consumer may opt out of surveillance pricing.

9 (b) Upon request, a covered entity shall provide the
10 consumer with a non-personalized baseline price for the goods
11 or services.

12 Section 25. Prohibited conduct.

13 (a) A covered entity shall not use the following
14 information to generate algorithmic pricing:

- 15 (1) race;
- 16 (2) religion;
- 17 (3) sexual orientation;
- 18 (4) immigration status;
- 19 (5) medical information; or
- 20 (6) criminal history.

21 (b) A covered entity shall not engage in deceptive or
22 misleading personalized pricing practices

23 (c) A covered entity shall not inflate baseline prices or
24 impose penalties on consumers who opt out of surveillance

1 pricing under subsection (a) of Section 20.

2 Section 30. Exceptions.

3 (a) This Act does not apply to price changes attributable
4 to inventory, supply chain disruptions, time-limited sales,
5 taxes, shipping cost variations, or loyalty programs disclosed
6 to the consumer before the completion of the transaction.

7 (b) This Act does not apply to algorithmic pricing models
8 that do not use personal data, including models based on
9 aggregate market demand.

10 Section 35. Enforcement. A violation of any of the
11 provisions of this Act is an unlawful practice under the
12 Consumer Fraud and Deceptive Business Practices Act. All
13 remedies, penalties, and authority granted to the Attorney
14 General by that Act shall be available to him or her for the
15 enforcement of this Act.

16 Section 40. Consumer education. No later than November 1
17 of each year, the Attorney General shall conduct a public
18 education and outreach program concerning algorithmic pricing
19 practices.

20 Section 45. Home rule. A home rule unit may not regulate
21 algorithmic pricing in a manner less restrictive than the
22 regulation by the State of algorithmic pricing under this Act.

1 This Section is a limitation under subsection (i) of Section 6
2 of Article VII of the Illinois Constitution on the concurrent
3 exercise by home rule units of powers and functions exercised
4 by the State.

5 Section 50. Rulemaking. The Attorney General shall adopt
6 rules to implement and administer this Act.

7 Section 90. The Consumer Fraud and Deceptive Business
8 Practices Act is amended by adding Section 2MMMM as follows:

9 (815 ILCS 505/2MMMM new)

10 Sec. 2MMMM. Violations of the Algorithmic Pricing
11 Transparency Act. A person who violates the Algorithmic
12 Pricing Transparency Act commits an unlawful practice within
13 the meaning of this Act.

14 Section 99. Effective date. This Act takes effect one year
15 after becoming law.