

1st Sub. S.B. 293
Consumer Pricing Data Amendments

Senate Amendments

Amendment 1

March 02, 2026 02:13 PM

Senator **Heidi Balderree** proposes the following amendments:

1. *Line 167 through 173:*

167

PART 2. Consumer Pricing

168 **13-82-201 (Effective 05/06/26)**Supplier prohibited from using consumer data to
169 increase the price of a good or service.

170 (1) ~~{A}~~ **Subject to Subsection (2), a** supplier may not use any of the following to increase the
price that the supplier

171 charges an individual consumer for a good or service:

172 (a) the consumer's personal data;

173 (b) the consumer's biometric data;

2. *Line 180:*

180 service that the supplier offers to a consumer that does not enter into a
181 subscription-based agreement with the supplier;

182 (b) operate a customer loyalty program;

183 (c) offer a discount, coupon, or promotion to the consumer; ~~{or}~~

184 (d) use a consumer's location information, including a device's precise geolocation, to
185 generate a price based on:

186 (i) supply or demand conditions;

187 (ii) located-based operational costs; or

188 (iii) other aggregate market conditions not linked to a specific individual or device ~~{:}~~ ; or

(e) increase the price that the supplier charges for a good or service if:

(i) the supplier and the consumer agree in writing to the increased price; and

(ii) the supplier provides the consumer notice of the increased price at least 30 days before
the day on which the supplier increases the price.