



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4544

Introduced 1/30/2026, by Rep. Eva-Dina Delgado

SYNOPSIS AS INTRODUCED:

New Act
815 ILCS 505/2MMMM new

Creates the Preventing Algorithmic Pricing Discrimination Act. Requires 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 must disclose that this price was set by an algorithm using the individual's personal data. Prohibits the use of algorithmic pricing under certain conditions. Provides that if there is a violation of the Act, the Attorney General may file a civil action requesting that an injunction be issued against the defendant to enjoin and restrain the continuance of the violation. Provides that notice must be given to the defendant of not less than 5 days, and the court may issue an injunction enjoining and restraining any further violation without requiring proof that any person has, in fact, been injured or damaged. Authorizes the court to impose a civil penalty of not more than \$1,000 for each violation. Exempts any insurer licensed, regulated, or otherwise authorized to do business in the State or any excess lines insurer, including any persons, agents, or affiliates acting on behalf of the insurer. Exempts financial services, including, but not limited to, financial institutions, financial institution affiliates, broker-dealers, registered investment advisors, and entities that provide consumer credit products such as credit cards, personal loans, and mortgages. Amends the Consumer Fraud and Deceptive Business Practices Act. Makes a violation of the Preventing Algorithmic Pricing Discrimination Act an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act. Defines terms. Limits home rule.

LRB104 17563 JRC 30991 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 Preventing Algorithmic Pricing Discrimination Act.

6 Section 5. Definitions. As used in this Act:

7 "Algorithm" means a computational process that uses a set
8 of rules to define a sequence of operations.

9 "Clear and conspicuous disclosure" means disclosure in the
10 same medium as, and provided on, at, or near and
11 contemporaneous with every advertisement, display, image,
12 offer or announcement of a price for which notice is required
13 using lettering and wording that is easily visible and
14 understandable to the average consumer.

15 "Consumer" means a natural person who is seeking or
16 solicited to purchase, lease, or receive a good or service for
17 personal, family, or household use.

18 "Consumer data" means any data that identifies or could
19 reasonably be linked, directly or indirectly, with a specific
20 natural person or device, excluding location data.

21 "Dynamic pricing" means pricing that fluctuates dependent
22 on conditions in which models retrain or recalibrate on
23 information in near real time, excluding promotional pricing

1 offers, loyalty program benefits or other temporary discounts
2 or changes to pricing related to retention of existing
3 customers.

4 "Personalized algorithmic pricing" means dynamic pricing
5 derived from or set by an algorithm that uses consumer data as
6 defined in this Act, which may vary among individual consumers
7 or consumer populations.

8 "Person" means any natural person, firm, organization,
9 partnership, association, corporation, or any other entity
10 domiciled or doing business in the State.

11 "Protected class data" means information about an
12 individual person or groups of people that directly, in
13 combination, or by implication identifies a characteristic
14 that is legally protected from discrimination under the laws
15 of this State or under federal law, including, but not limited
16 to, ethnicity, national origin, age, disability, sex, sexual
17 orientation, gender identity and expression, pregnancy
18 outcomes, and reproductive health care.

19 Section 10. Mandatory disclosure of algorithmic pricing.

20 (a) Any person who knowingly advertises, promotes, labels,
21 or publishes a statement, display, image, offer, or
22 announcement of personalized algorithmic pricing using
23 consumer data specific to a particular individual must include
24 with the statement, display, image, offer, or announcement a
25 clear and conspicuous disclosure that states: THIS PRICE WAS

1 SET BY AN ALGORITHM USING YOUR PERSONAL DATA.

2 (b) If there is a violation of this Act, the Attorney
3 General may file a civil action requesting that an injunction
4 be issued against the defendant to enjoin and restrain the
5 continuance of the violation. Notice must be given to the
6 defendant of any hearing on this request not less than 5 days
7 before the hearing. The court may issue an injunction
8 enjoining and restraining any further violation without
9 requiring proof that any person has, in fact, been injured or
10 damaged.

11 (c) If the court determines that a violation of this Act
12 has occurred, the court may impose a civil penalty of not more
13 than \$1,000 for each violation.

14 (d) This Act does not apply to any insurer licensed,
15 regulated, or otherwise authorized to do business in the State
16 or any excess lines insurer, including any persons, agents, or
17 affiliates acting on behalf of the insurer.

18 (e) This Act does not apply to financial services,
19 including, but not limited to, financial institutions,
20 financial institution affiliates, broker-dealers, registered
21 investment advisors, and entities that provide consumer credit
22 products such as credit cards, personal loans, and mortgages.

23 Section 15. Prohibited use of algorithmic pricing. A
24 person or agent or employee of a person may not use protected
25 class data in setting a price for, offering, marketing, or

1 selling any good or service if:

2 (1) the use of that data has the effect of withholding
3 or denying any of the accommodations, advantages, and
4 privileges accorded to others; or

5 (2) the price for the good or service is different
6 from the price offered to other individuals or groups
7 based in whole or in part on the use of protected class
8 data.

9 Section 20. Enforcement. A violation of this Act
10 constitutes an unlawful practice under the Consumer Fraud and
11 Deceptive Business Practices Act. All remedies, penalties, and
12 authority granted to the Attorney General by the Consumer
13 Fraud and Deceptive Business Practices Act are available to
14 the Attorney General for the enforcement of this Act. The
15 Attorney General may adopt rules to implement and administer
16 this Act.

17 Section 25. Home rule. A home rule unit may not regulate
18 algorithmic pricing in a manner less restrictive than the
19 regulation by the State of algorithmic pricing under this Act.
20 This Section is a limitation under subsection (i) of Section 6
21 of Article VII of the Illinois Constitution on the concurrent
22 exercise by home rule units of powers and functions exercised
23 by the State.

1 Section 30. The Consumer Fraud and Deceptive Business
2 Practices Act is amended by adding Section 2MMMM as follows:

3 (815 ILCS 505/2MMMM new)

4 Sec. 2MMMM. Violations of the Preventing Algorithmic
5 Pricing Discrimination Act. A person who violates the
6 Preventing Algorithmic Pricing Discrimination Act commits an
7 unlawful practice within the meaning of this Act.