

HB4717



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4717

by Rep. Amy L. Grant

SYNOPSIS AS INTRODUCED:

New Act
815 ILCS 505/2MMMM new

Amends the Personalized Algorithmic Pricing Disclosure Act. Provides that any entity that sets the price of goods or services 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, using personal data specific to the consumer, shall include a specified disclosure. Sets forth exceptions to the provision. Provides that a violation of the Act constitutes 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 immediately.

LRB104 18478 SPS 31920 b

A BILL FOR

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 Personalized Algorithmic Pricing Disclosure Act.

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

7 "Algorithm" means a computational automated process that
8 uses a set 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
13 required, using lettering and wording that is easily visible
14 and understandable to the average consumer.

15 "Consumer" means a natural person in this State who is
16 seeking or solicited to purchase, lease, or receive goods or
17 services for personal, family, or household use.

18 "Dynamic pricing" means pricing that fluctuates dependent
19 on conditions.

20 "Entity" means any natural person, firm, organization,
21 partnership, association, corporation, or any other entity
22 domiciled or doing business in this State.

23 "Personal data" means any data that identifies or could

1 reasonably be linked, directly or indirectly, with a specific
2 consumer or device. "Personal data" does not include location
3 data that is used by a for-hire vehicle, as determined by local
4 ordinance, or a transportation network company, as defined in
5 Section 5 of the Transportation Network Providers Act, solely
6 to calculate the fare based on mileage and trip duration
7 between the passenger's pickup and drop-off locations.

8 "Personalized algorithmic pricing" means dynamic pricing
9 set by an algorithm that uses personal data.

10 Section 10. Disclosure requirement. An entity that sets
11 the price of goods or services using personalized algorithmic
12 pricing, and that directly or indirectly advertises, promotes,
13 labels, or publishes a statement, display, image, offer, or
14 announcement of personalized algorithmic pricing to a
15 consumer, using personal data specific to the consumer, shall
16 include with the statement, display, image, offer, or
17 announcement a clear and conspicuous disclosure that states:
18 "THIS PRICE WAS SET BY AN ALGORITHM USING YOUR PERSONAL DATA".

19 Section 15. Exceptions. Nothing in this Act applies to:

20 (1) a person, firm, partnership, association, or
21 corporation, or agent or employee thereof, subject to the
22 Illinois Insurance Code;

23 (2) a financial institution or affiliate of a
24 financial institution, as those terms are defined in 15

1 U.S.C. 6809, to the extent that the financial institution
2 or affiliate of a financial institution is subject to
3 Title V of the Gramm-Leach-Bliley Act (15 U.S.C. 6801, et
4 seq., as amended) and its implementing regulations;

5 (3) a financial institution, as that term is defined
6 in Section 2 of the Illinois Banking Act; or

7 (4) a price that is offered to a consumer who has an
8 existing subscription-based agreement or contract for
9 goods or services with an entity if the price is less than
10 the price for the same goods or services set forth in the
11 subscription-based agreement or contract.

12 Section 20. Enforcement. A violation of this Act
13 constitutes an unlawful practice under the Consumer Fraud and
14 Deceptive Business Practices Act. All remedies, penalties, and
15 authority granted to the Attorney General by the Consumer
16 Fraud and Deceptive Business Practices Act shall be available
17 to the Attorney General for the enforcement of this Act.

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

20 (815 ILCS 505/2MMMM new)

21 Sec. 2MMMM. Violations of the Personalized Algorithmic
22 Pricing Disclosure Act. Any person who violates the
23 Personalized Algorithmic Pricing Disclosure Act commits an

1 unlawful practice within the meaning of this Act.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.