

HB5530



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5530

Introduced 2/13/2026, by Rep. Eva-Dina Delgado

SYNOPSIS AS INTRODUCED:

New Act
815 ILCS 505/2MMMM new

Creates the Fair Online Pricing Act. Provides that a price offered to a consumer through the consumer's online device shall not be generated in whole, or in part, based on 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; and (3) geolocation data of the online device. Sets forth exemptions. Provides that a violation of the provisions 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 conforming changes.

LRB104 18076 SPS 31515 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 Fair
5 Online Pricing Act.

6 Section 5. Definitions. In this Act:

7 "Coupon" means any method by which a consumer receives a
8 discount on the purchase of any item that is funded, produced,
9 sponsored, promoted, or furnished, either directly or
10 indirectly, by a business, including, but not limited to, a
11 paper coupon, a digital coupon, or an instant redeemable
12 coupon.

13 "Discount" means any reduction from the regular or
14 advertised price offered to consumers on a temporary or
15 conditional basis.

16 "Hardware state" means a condition or mode of existence of
17 a system, component, or simulation, including, but not limited
18 to, battery life, number of wireless connections detected, and
19 age of the device, data that is erased when an online device is
20 restarted or powered down, and data that is retained when an
21 online device is restarted or powered down.

22 "Online device" means a physical object that has built-in
23 resources that allow it to communicate through the Internet or

1 a short-range wireless technology and react to interface
2 conditions, including, but not limited to, a laptop computer,
3 a desktop computer, a tablet, a smartphone, or other smart
4 hardware.

5 Section 10. Device-based pricing.

6 (a) A price offered to a consumer through the consumer's
7 online device shall not be generated in whole, or in part,
8 based on the following input data:

9 (1) the hardware or hardware state of the online
10 device;

11 (2) the presence or absence of any software on the
12 online device; and

13 (3) geolocation data of the online device.

14 (b) Notwithstanding paragraph (1) of subsection (a), the
15 hardware or hardware state of an online device may be used to
16 generate a price for the following reasons:

17 (1) repair or maintenance of the online device; and

18 (2) calculating a trade-in value of the online device.

19 (c) Notwithstanding paragraph (3) of subsection (a), the
20 geolocation data of an online device may be used, and the
21 consumer's location may be accounted for, to generate a price
22 for the following reasons:

23 (1) to determine pricing based on the real-time demand
24 for the product or service in the consumer's vicinity, if
25 the product or service is provided immediately upon

1 request; and

2 (2) to provide accurate pricing information based on
3 price variances at different physical locations, due to
4 legitimate cost or demand differentials or State or local
5 government taxes, duties, or other fees.

6 (d) This Act does not apply to any coupon that is separate
7 from the price, any discount, or any other bona fide rebates,
8 sales, or promotions that reduce the price of goods or
9 services, that are available to the general public on the same
10 terms, and do not incorporate input data as specified in
11 subsection (a).

12 (e) The use of cellular broadcast technology is not
13 considered a use geolocation data for the purposes of this
14 Act.

15 Section 15. Enforcement by Attorney General. A violation
16 of any of the provisions of this Act is an unlawful practice
17 under the Consumer Fraud and Deceptive Business Practices Act.
18 All remedies, penalties, and authority granted to the Attorney
19 General by that Act shall be available to the Attorney General
20 for the enforcement of this Act.

21 Section 20. Other duties required by law. The duties and
22 obligations imposed by this Act are cumulative with any other
23 duties or obligations imposed under other law and shall not be
24 construed to relieve any party from any duties or obligations

1 imposed under other law.

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

4 (815 ILCS 505/2MMMM new)

5 Sec. 2MMMM. Violations of the Fair Online Pricing Act. A
6 person who violates the Fair Online Pricing Act commits an
7 unlawful practice within the meaning of this Act.