

HOUSE BILL 1475

I3, N1

6lr2680

By: **The Speaker**

Introduced and read first time: February 13, 2026

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Dynamic Pricing Disclosure and Prohibition on**
3 **Rent-Setting**

4 FOR the purpose of prohibiting a merchant from setting the price of consumer goods or
5 services using certain personalized algorithmic pricing and issuing a certain
6 communication in a certain manner unless the merchant includes a certain clear and
7 conspicuous disclosure statement; prohibiting a person from knowingly or recklessly
8 operating or licensing software, a data analytics service, or an algorithmic device to
9 perform a certain coordinating function to facilitate an agreement between
10 residential rental property owners or managers; prohibiting residential rental
11 property owners or managers from knowingly or recklessly setting or adjusting
12 rental prices and certain lease terms and conditions based on the use of software, a
13 data analytics service, or an algorithmic device that performs a certain coordinating
14 function; making a violation of this Act an unfair, abusive, or deceptive trade practice
15 that is subject to enforcement and penalties under the Maryland Consumer
16 Protection Act; and generally relating to consumer protection, dynamic pricing of
17 consumer goods and services, and rent-setting.

18 BY repealing and reenacting, with amendments,
19 Article – Commercial Law
20 Section 13–301(14)(xlvii)
21 Annotated Code of Maryland
22 (2025 Replacement Volume)

23 BY repealing and reenacting, without amendments,
24 Article – Commercial Law
25 Section 13–301(14)(xlviii)
26 Annotated Code of Maryland
27 (2025 Replacement Volume)

28 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Commercial Law
2 Section 13–301(14)(xlix) and 13–321
3 Annotated Code of Maryland
4 (2025 Replacement Volume)

5 BY adding to
6 Article – Real Property
7 Section 8–122
8 Annotated Code of Maryland
9 (2023 Replacement Volume and 2025 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
11 That the Laws of Maryland read as follows:

12 **Article – Commercial Law**

13 13–301.

14 Unfair, abusive, or deceptive trade practices include any:

15 (14) Violation of a provision of:

16 (xlvii) Title 14, Subtitle 50 of this article; [or]

17 (xlviii) Section 13–411.1(c)(2) of the Transportation Article; or

18 **(XLIX) SECTION 8–122 OF THE REAL PROPERTY ARTICLE;**

19 **OR**

20 **13–321.**

21 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
22 **INDICATED.**

23 **(2) “ALGORITHM” MEANS A COMPUTATIONAL AUTOMATED PROCESS**
24 **THAT USES A SET OF RULES TO DEFINE A SEQUENCE OF OPERATIONS.**

25 **(3) “CLEAR AND CONSPICUOUS DISCLOSURE” MEANS DISCLOSURE:**

26 **(I) IN THE SAME MEDIUM AS, AND PROVIDED ON, AT, OR NEAR**
27 **AND CONTEMPORANEOUS WITH, EACH COMMUNICATION OF A PRICE FOR WHICH**
28 **NOTICE IS REQUIRED; AND**

29 **(II) USING LETTERING AND WORDING THAT IS EASILY VISIBLE**
30 **AND UNDERSTANDABLE TO A CONSUMER.**

1 (4) “COMMUNICATION” MEANS AN ADVERTISEMENT, A DISPLAY, AN
2 IMAGE, AN OFFER, OR AN ANNOUNCEMENT.

3 (5) “DYNAMIC PRICING” MEANS PRICING THAT FLUCTUATES
4 DEPENDENT ON CONDITIONS.

5 (6) (I) “PERSONAL DATA” MEANS ANY DATA THAT IDENTIFIES OR
6 COULD REASONABLY BE LINKED, DIRECTLY OR INDIRECTLY, WITH A SPECIFIC
7 CONSUMER OR DEVICE.

8 (II) “PERSONAL DATA” DOES NOT INCLUDE LOCATION DATA.

9 (7) “PERSONALIZED ALGORITHMIC PRICING” MEANS DYNAMIC
10 PRICING SET BY AN ALGORITHM THAT USES PERSONAL DATA.

11 (B) THIS SECTION DOES NOT APPLY TO:

12 (1) CONDUCT OF A MERCHANT THAT IS REGULATED UNDER THE
13 INSURANCE ARTICLE;

14 (2) (I) A FINANCIAL INSTITUTION, AS DEFINED IN § 1-101 OF THE
15 FINANCIAL INSTITUTIONS ARTICLE; OR

16 (II) A FINANCIAL INSTITUTION OR AN AFFILIATE OF A
17 FINANCIAL INSTITUTION THAT IS SUBJECT TO TITLE V OF THE
18 GRAMM-LEACH-BLILEY ACT; OR

19 (3) A LOWER PRICE THAT IS OFFERED TO A CONSUMER WHO HAS AN
20 EXISTING SUBSCRIPTION-BASED CONTRACT OR AGREEMENT FOR A CONSUMER
21 GOOD OR SERVICE WITH A MERCHANT THAN THE PRICE OFFERED TO A CONSUMER
22 WITHOUT THE SUBSCRIPTION-BASED CONTRACT OR AGREEMENT.

23 (C) A MERCHANT MAY NOT SET THE PRICE OF SPECIFIC CONSUMER GOODS
24 OR SERVICES USING PERSONALIZED ALGORITHMIC PRICING AND DIRECTLY OR
25 INDIRECTLY ADVERTISE, PROMOTE, LABEL, OR PUBLISH A COMMUNICATION OF THE
26 PERSONALIZED ALGORITHMIC PRICING FOR THE CONSUMER GOOD OR SERVICE TO
27 A CONSUMER IN THE STATE, UNLESS THE MERCHANT INCLUDES WITH THE
28 COMMUNICATION A CLEAR AND CONSPICUOUS DISCLOSURE WITH THE FOLLOWING
29 STATEMENT:

30 “THIS PRICE WAS SET BY AN ALGORITHM USING YOUR
31 PERSONAL DATA”.

Article – Real Property

8–122.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “ALGORITHM” MEANS A COMPUTATIONAL AUTOMATED PROCESS THAT USES A SET OF RULES TO DEFINE A SEQUENCE OF OPERATIONS.

(3) “ALGORITHMIC DEVICE” MEANS ANY MACHINE, DEVICE, COMPUTER PROGRAM, OR COMPUTER SOFTWARE THAT ON ITS OWN OR WITH HUMAN ASSISTANCE PERFORMS A COORDINATING FUNCTION.

(4) (I) “COORDINATING FUNCTION” MEANS TO:

1. COLLECT HISTORICAL OR CONTEMPORANEOUS PRICES, SUPPLY LEVELS, OR LEASE OR RENTAL CONTRACT TERMINATION AND RENEWAL DATES OF RESIDENTIAL UNITS FROM TWO OR MORE RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS, IF AT LEAST TWO OR MORE OF THE RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS FROM WHOM THE INFORMATION IS COLLECTED ARE NOT WHOLLY OWNED SUBSIDIARIES OF THE SAME PARENT ENTITY OR OTHERWISE OWNED OR MANAGED BY THE SAME RESIDENTIAL RENTAL PROPERTY OWNER OR MANAGER;

2. ANALYZE OR PROCESS THE INFORMATION DESCRIBED IN ITEM 1 OF THIS SUBPARAGRAPH USING A SYSTEM, SOFTWARE, OR PROCESS THAT USES COMPUTATION, INCLUDING BY USING THAT INFORMATION TO TRAIN AN ALGORITHM; AND

3. RECOMMEND RENTAL PRICES, LEASE RENEWAL TERMS, IDEAL OCCUPANCY LEVELS, OR OTHER LEASE TERMS AND CONDITIONS TO A RESIDENTIAL RENTAL PROPERTY OWNER OR MANAGER.

(II) “COORDINATING FUNCTION” DOES NOT INCLUDE A PRODUCT USED FOR THE PURPOSE OF ESTABLISHING RENT OR INCOME LIMITS IN ACCORDANCE WITH RENT STABILIZATION LAW OR AN AFFORDABLE HOUSING PROGRAM ADMINISTERED BY A FEDERAL, STATE, OR LOCAL GOVERNMENT OR OTHER POLITICAL SUBDIVISION.

(5) “RESIDENTIAL RENTAL PROPERTY OWNER OR MANAGER” MEANS A PERSON THAT MANAGES OR DIRECTLY OR INDIRECTLY AND IN WHOLE OR IN PART

1 OWNS OR IS A BENEFICIAL OWNER OF AT LEAST ONE RESIDENTIAL RENTAL
2 PROPERTY IN THE STATE.

3 (B) A PERSON MAY NOT OPERATE OR LICENSE SOFTWARE, A DATA
4 ANALYTICS SERVICE, OR AN ALGORITHMIC DEVICE THAT PERFORMS A
5 COORDINATING FUNCTION BETWEEN, OR ON BEHALF OF, TWO OR MORE
6 RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS TO KNOWINGLY OR
7 RECKLESSLY FACILITATE AN AGREEMENT BETWEEN OR AMONG THE RESIDENTIAL
8 RENTAL PROPERTY OWNERS OR MANAGERS.

9 (C) A RESIDENTIAL RENTAL PROPERTY OWNER OR MANAGER MAY NOT
10 KNOWINGLY OR RECKLESSLY SET OR ADJUST RENTAL PRICES, LEASE RENEWAL
11 TERMS, OCCUPANCY LEVELS, OR OTHER LEASE TERMS AND CONDITIONS IN ANY
12 RESIDENTIAL RENTAL PROPERTY BASED ON A RECOMMENDATION FROM SOFTWARE,
13 A DATA ANALYTICS SERVICE, OR AN ALGORITHMIC DEVICE THAT PERFORMS A
14 COORDINATING FUNCTION.

15 (D) A VIOLATION OF THIS SECTION IS:

16 (1) AN UNFAIR, ABUSIVE, OR DECEPTIVE TRADE PRACTICE WITHIN
17 THE MEANING OF TITLE 13 OF THE COMMERCIAL LAW ARTICLE; AND

18 (2) SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS
19 CONTAINED IN TITLE 13 OF THE COMMERCIAL LAW ARTICLE.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2026.