



February 10, 2026

Legislative Position: Unfavorable

House Bill 148

Consumer Protection and Labor and Employment - Surveillance-Based Price and Wage Setting - Prohibition

House Economic Matters Committee

Dear Chair Valderrama and members of the committee:

Founded in 1969, the Howard Chamber of Commerce is dedicated to helping businesses, from sole proprietors to large international firms, grow and succeed. With the power of 700 members that encompass more than 170,000 employees, the Howard County Chamber is an effective partner with elected officials and advocates for the interests of the county's business community.

The Chamber supports policies that promote transparency, consumer trust, and fair competition. We also recognize the intent of HB 148 to address concerns related to data privacy and potentially discriminatory pricing or wage practices. However, as drafted, this bill raises significant concerns for small and mid-sized businesses that operate in good faith and lack the legal, technological, and compliance resources of large national firms.

First, HB 148 relies on broad and novel definitions of "surveillance-based price setting" and "surveillance-based wage setting" that may unintentionally encompass routine and legitimate business practices. Many small businesses use basic software tools for inventory management, scheduling, customer loyalty programs, or seasonal pricing adjustments. The bill creates uncertainty as to whether these widely used tools could expose businesses to liability under Maryland's Consumer Protection Act, even when no individualized or discriminatory pricing is intended.

Second, the bill would impose new compliance and legal risks on small businesses that are already navigating rising costs, labor shortages, and economic uncertainty. Treating violations as unfair or deceptive trade practices creates the potential for significant penalties and enforcement actions. For small businesses with limited administrative capacity, the cost of determining compliance alone could be substantial, discouraging the adoption of modern technologies that improve efficiency and competitiveness.

Third, HB 148 may inadvertently disadvantage small businesses relative to larger competitors. Large corporations are better positioned to absorb compliance costs, retain counsel, and modify complex systems in response to new regulations. Small businesses, which form the backbone of Howard County's economy, could be forced to scale back innovation or operational tools out of concern for legal exposure.

The Chamber believes that any effort to regulate data-driven pricing or employment practices should be narrowly tailored, clearly defined, and developed with meaningful input from the small business



community. As written, HB 148 risks unintended consequences that could stifle innovation, increase costs, and create confusion without demonstrably improving consumer outcomes.

For these reasons, the Howard County Chamber of Commerce respectfully urges the Committee to oppose House Bill 148 or, at a minimum, delay its advancement to allow for further stakeholder engagement and refinement.

Sincerely,

Kristi Simon
President & CEO
Howard County Chamber of Commerce