



House Bill 148

Date: February 10, 2026

Committee: Economic Matters

Position: Unfavorable

Founded in 1968, the Maryland Chamber of Commerce (Maryland Chamber) is a statewide coalition of more than 7,000 members and federated partners working to develop and promote strong public policy that ensures sustained economic growth and opportunity for all Marylanders.

House Bill 148 (HB 148) would unnecessarily regulate the use of automated systems that are responsibly used to support marketing, pricing, and business practices that enhance consumer experience and market competition.

For example, HB 148's definitions of "Surveillance-Based Price-Setting" and "Surveillance Data" are overly broad and will restrict common practices like using past purchase behavior to offer discounts or incentives—practices that save consumers money, encourage trials of new products, and contribute to economic growth. In practice, HB 148 would overly constrain a business's ability to utilize data that helps generate discounts and promotions that make products more affordable for Marylanders.

States across the country are studying how to balance innovation with consumer protection, and to date, none have enacted legislation like HB 148. In fact, similar proposals in other states have been withdrawn or rejected after careful review. For example, AB 446 in California – a very similar bill to HB 148 – was ultimately withdrawn after it received widespread concern from stakeholders.

Please note that HB 148 seeks to establish a private right of action, which would create untenable liability exposure for businesses and divert resources from meaningful consumer protection

HB 148 would make Maryland an outlier among states, unduly constrain businesses from offering discounts to customers, and ultimately exacerbate Maryland's slow economic growth. For these reasons, the Maryland Chamber respectfully requests an unfavorable report on HB 148.