



**SB 387 - Food Retailers - Dynamic Pricing, Surveillance Data, and Collective Bargaining Agreements  
(Protection From Predatory Pricing Act)**

**Senate Finance Committee**

**February 17, 2026**

**SUPPORT**

Chair Beidle, Vice-Chair, and members of the committee, thank you for the opportunity to submit testimony in support of Senate Bill 387. This bill will prohibit food retailers from adjusting prices according to access to consumer data.

The CASH Campaign of Maryland promotes economic advancement for low-to-moderate income individuals and families in Baltimore and across Maryland. CASH accomplishes its mission through operating a portfolio of direct service programs, building organizational and field capacity, and leading policy and advocacy initiatives to strengthen family economic stability. CASH and its partners across the state achieve this by providing free tax preparation services through the IRS program 'VITA', offering free financial education and coaching, and engaging in policy research and advocacy. **Almost 4,000 of CASH's tax preparation clients earn less than \$10,000 annually. More than half earn less than \$20,000.**

Surveillance pricing is when companies use personal data to change prices for each consumer based on their browsing history, location history, or purchase history. Beyond a security risk, these practices are highly unethical and stand to only detrimentally affect those who can afford these adjustments the least. SB 387 will take an important step to protect all Maryland families and workers from facing predatory pricing practices in grocery stores.

Dynamic pricing can look like a grocery store determining that a parent consistently buys baby formula, relies on public transportation, or shops late at night after a shift job. The algorithms will quietly raise prices based on perceived "need" or limited alternatives. Dynamic pricing and surveillance data collection will provide food retailers with location data and browsing history to most effectively take advantage of low income and disadvantaged populations.

According to the most recent ALICE threshold data for Maryland, more than 1 in 3 households struggle to cover even their most basic needs. In addition to this, food deserts are a common problem in Maryland, affecting both urban and rural communities. These families are already forced to make impossible choices at checkout: put back milk, skip fresh produce, or stretch meals to make it through the week. Allowing AI-driven dynamic pricing in grocery stores would add another layer of instability and unpredictability to already tight budgets.

Food is not a luxury. It is a necessity that families should not delay due to possible changes in prices. When prices fluctuate throughout the day based on demand or consumer data, low-income households will be disproportionately harmed.

**Thus, we encourage you to return a favorable report for SB 387.**

*Creating Assets, Savings and Hope*