



Wes Moore | Governor

Aruna Miller | Lt. Governor

Carmel Roques | Secretary

Date: February 13, 2026

Bill Number: SB 387

Bill Title: Food Retailers - Dynamic Pricing, Surveillance Data, and Collective Bargaining Agreements (Protection From Predatory Pricing Act)

Committee: Senate Finance Committee

Maryland Department of Aging Position: FAVORABLE

Madam Chair, Vice-Chair and Committee Members:

Thank you for the opportunity to provide written testimony in support of Senate Bill 387 on behalf of the Maryland Department of Aging. This legislation addresses practices in food retail that may inadvertently place an unfair burden on Maryland consumers, including the State's growing population of older adults.

SB 387 would prohibit grocery retailers from engaging in "dynamic pricing" and from using consumer surveillance data to set or modify prices on essential food items. The bill also strengthens protections for employees, but my testimony will focus on the consumer protection and equity components that directly affect older Marylanders.

Maryland's population is rapidly aging. Maryland currently has more than 1.4 million residents aged 60 and older and this number is growing faster than the national average; so much so that by 2030 approximately 1 in 4 Marylanders will be 60 or older.

Many of these older adults live on fixed incomes, have tighter household budgets, and are especially vulnerable to food price volatility. With health care, prescription drug costs, housing, and transportation expenses rising, even small increases in the price of groceries can force older adults to choose between food and other basic needs.



Wes Moore | Governor

Aruna Miller | Lt. Governor

Carmel Roques | Secretary

Over 600,000 Marylanders, or more than 1 in 10 households, live in poverty and struggle against hunger. Lack of nutrition security means that children go to school with empty stomachs, that parents, grandparents, and other caregivers skip meals so that children can eat.

Food insecurity among older adults is a serious concern. Defined as a lack of reliable access to affordable, nutritious food, food insecurity is not just a challenge for working families and children; it affects significant numbers of older Marylanders as well. National studies show that older adults are more likely than the general population to experience food insecurity due to fixed income constraints and higher health care costs as they age.

In Maryland, older adults face barriers such as limited mobility, transportation challenges, and reduced access to food resources, all of which can contribute to food insecurity. Dynamic pricing practices can exacerbate food cost burdens.

Without full transparency and consumer protections, such pricing could lead to unpredictable and higher grocery bills for consumers, particularly those least able to absorb price fluctuations, such as older adults on fixed incomes. Maryland's Protection From Predatory Pricing Act would require grocery prices to remain stable for at least one business day and prohibit the use of surveillance data to manipulate individual pricing.

For older Marylanders, price stability and predictability are especially important. Many are on limited budgets and cannot adapt to sudden, opaque increases in the cost of essential goods. This bill will help ensure that older adults can shop for groceries without fear that their age, buying patterns, or economic status could result in higher prices at checkout.

This bill supports broader state goals around nutrition and aging, as set out in Longevity Ready Maryland, our 10 year multi-sector plan, as well as in our nutrition security policy statement. The Maryland Department of Aging administers and supports nutrition programs (including home-delivered meals, congregate dining, and supplemental food services) that help reduce food insecurity among older adults. These programs work to address hunger, improve health outcomes, and reduce isolation.

In 2025, 37,492 Marylanders received support through MDOA's nutrition programs. Home delivered meals and congregate meals, totalling 2,888,640 meals were provided over the course



Wes Moore | Governor

Aruna Miller | Lt. Governor

Carmel Roques | Secretary

of the year and delivered through the Department's Area Agencies on Aging (AAAs) and other programs.

Public programs and services, however, can only do so much when structural market practices increase food costs for vulnerable consumers. Legislation like SB 387 complements nutrition service efforts by mitigating an emerging risk factor for cost-driven food insecurity.

The Maryland Department of Aging strongly supports Senate Bill 387 because it:

- Promotes fair and transparent pricing in food retail, which helps protect older adults who are highly sensitive to food cost fluctuations;
- Reinforces equity for consumers across Maryland's diverse population;
- Aligns with the Department's Longevity Ready Maryland Plan and the Governor's priorities to support Maryland's growing older adult population as they age with dignity and financial stability.

For all these reasons, we urge this Committee to issue a favorable report on SB 387.