
DIGEST

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HB 471 Original

2026 Regular Session

Jordan

Abstract: Provides relative to prohibiting surveillance-based price discrimination.

Proposed law defines "automated decision system", "behaviors", "biometrics", "consumer", "individualized", "insurer", "personal characteristics", "price", and "surveillance data".

Proposed law provides that no person shall engage in surveillance-based price discrimination.

Proposed law provides that a corporation or person has not engaged in surveillance-based price discrimination if the person demonstrates that differential prices are justified based on differences in cost in providing a good or service to different consumers or differential prices reflect discounts offered to all consumers on equal terms in a manner consistent with applicable anti-discrimination laws, where all of the following apply:

- (1) The terms of the discount are available and accessible to consumers and the public.
- (2) Discount reward membership uniformly to any consumer who is a member in a particular group, including but not limited to active members of the military, veterans, teachers, students, or senior citizens.
- (3) Any surveillance data used solely to offer or administer a discount is not used for any other purpose, including profiling, targeted advertising, or individualized price setting.
- (4) Eligibility for the discount is based on information affirmatively and voluntarily provided by the consumer to the person offering the discount.
- (5) Any loyalty program that allows a user to accrue and exchange points, credits, or any similar nonmonetary system of value for a product or service does not charge a different price for those points, credits, or similar nonmonetary system of value to different consumers for the same or substantially similar product or service.
- (6) The person operates as an insurer pursuant to present law and associated rules and only inputs risk-relevant data into an automated decision system that informs decisions related to the amount a consumer must pay for an insurance policy or contract.

Proposed law provides that an entity or person has not engaged in surveillance-based price discrimination if the person can demonstrate that a refusal to extend credit at specific terms or the

refusal to enter into a transaction with a specific consumer is based on data provided in a consumer report covered by present law.

Proposed law provides that violation of proposed law is grounds for a private right of action according present law.

(Adds R.S. 51:1430)