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**HOUSE COMMITTEE AMENDMENTS**

2026 Regular Session

Amendments proposed by House Committee on Commerce to Original House Bill No. 471  
by Representative Jordan

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1 AMENDMENT NO. 1

2 On page 1, delete lines 12 through 16 in their entirety

3 AMENDMENT NO. 2

4 On page 1, line 17, change "(2)" to "(1)"

5 AMENDMENT NO. 3

6 On page 2, line 5, change "(3)" to "(2)"

7 AMENDMENT NO. 4

8 On page 2, line 12, change "(4)" to "(3)"

9 AMENDMENT NO. 5

10 On page 2, line 14, change "(5)" to "(4)"

11 AMENDMENT NO. 6

12 On page 2, line 17, change "(6)" to "(5)"

13 AMENDMENT NO. 7

14 On page 2, between lines 18 and 19, insert the following:

15 "(6) "Loyalty, membership, or rewards program" means a loyalty, rewards,  
16 or club card program established for the genuine purpose of providing benefits to  
17 consumers who voluntarily participate in that program regardless of whether those  
18 benefits are provided directly by a business or through a loyalty program partner.

19 (7) "Loyalty program partner" means a third party that provides loyalty  
20 membership or rewards program benefits to consumers who consent to participate  
21 in a loyalty, membership, or rewards program offered by a different seller."

22 AMENDMENT NO. 8

23 On page 2, line 19, change "(7)" to "(8)"

24 AMENDMENT NO. 9

25 On page 2, line 24, change "(8)" to "(9)"

26 AMENDMENT NO. 10

27 On page 2, between lines 27 and 28, insert the following:

28 "(10) "Price-setting algorithm" or "PSA" means any technology, software,  
29 program, machine-based system or other computational process that uses statistical  
30 modeling, data analytics, artificial intelligence, or other data processing techniques

1 to analyze surveillance data and is a substantial factor in setting, offering, or  
2 determining a price offered to an individual.

3 (11) "Substantial factor" means more than a de minimis or incidental factor  
4 that informs the price offered to an individual.

5 (12)(a) "Surveillance-based price discrimination" means using a PSA or the  
6 output of a PSA in determining the price offered to a consumer.

7 (b) "Surveillance-based price discrimination" does not include the use of  
8 location data or an internet protocol address solely for the purpose of determining the  
9 jurisdiction where an individual is located if the location data or intent protocol  
10 address is used solely for the following purposes:

11 (i) Limiting the offered products or services to those available in that  
12 jurisdiction.

13 (ii) Displaying prices in the appropriate currency.

14 (iii) Calculating jurisdiction-specific taxes.

15 (iv) Complying with jurisdiction-specific disclosure or other regulatory  
16 requirements."

17 AMENDMENT NO. 11

18 On page 2, line 28, change "(9)" to "(13)" and after "observation," and before "inference,"  
19 insert "purchase,"

20 AMENDMENT NO. 12

21 On page 3, delete line 4, insert the following:

22 "(14) "Third-party retailer" means an independent technology company that  
23 operates a website or consumer application on which an independent retailer markets  
24 its products or services.

25 B.(1) It shall constitute an unfair trade practice for a third-party retailer to  
26 engage in surveillance-based price discrimination."

27 AMENDMENT NO. 13

28 On page 3, line 5, change "A corporation or person" to "A third-party retailer"

29 AMENDMENT NO. 14

30 On page 3, line 6, change "person" to "third-party retailer"

31 AMENDMENT NO. 15

32 On page 3, line 8, change "consumers." to "consumers, including based on consumer  
33 selections, delivery distance, and delivery time."

34 AMENDMENT NO. 16

35 On page 3, line 21, change "person" to "third-party retailer" and change "discount." to  
36 "discount, except purchase history information used as described in Item (vi) of this  
37 Subparagraph."

38 AMENDMENT NO. 17

39 On page 3, between lines 25 and 26, insert the following:

40 "(vi) Discounts reward attributes uniformly of consumers' purchase history,  
41 such as purchase frequency, history length, or total dollars spent on the goods or  
42 services provided by the third-party retailer, with the third-party retailer or an

1 affiliate of the third-party retailer offering the discount, from whom the goods and  
2 services will be purchased.

3 (c) Differential prices are set forth in a subscription or other continuous  
4 agreement between the third-party retailer that includes a monthly or other recurring  
5 price that was not informed by a PSA."

6 AMENDMENT NO. 18

7 On page 3, delete line 26 and insert in lieu thereof the following:

8 "(3) A third-party retailer has not engaged in surveillance-based price  
9 discrimination if the third-party retailer operates as an insurer complying with R.S.  
10 22:481 et seq. and"

11 AMENDMENT NO. 19

12 On page 3, after line 29, add the following:

13 "(4) A third-party retailer has not engaged in surveillance-based price  
14 discrimination if the third-party retailer has offered differential prices pursuant to the  
15 following need-based discount programs that are disclosed and structured to provide  
16 reduced pricing or financial assistance based on objective eligibility criteria related  
17 to income or financial need:

- 18 (a) Hospital discounted care.
- 19 (b) Sliding scale fees.
- 20 (c) Charity care or medical financial assistance policies."

21 AMENDMENT NO. 20

22 On page 4, line 1, change "An entity or person" to "A third-party retailer"

23 AMENDMENT NO. 21

24 On page 4, line 2, change "person" to "third-party retailer"

25 AMENDMENT NO. 22

26 On page 4, line 3, change "is" to "was"

27 AMENDMENT NO. 23

28 On page 4, delete lines 6 and 7 and insert in lieu thereof the following:

29 "C. A violation of this Section is a deceptive and unfair trade practice and  
30 shall subject the violator to actions and penalties provided in the Unfair Trade  
31 Practices and Consumer Protection Law, R.S. 51:1401 et seq."