



**STATEMENT FOR THE RECORD  
BEFORE THE COLORADO SENATE BUSINESS, LABOR & TECHNOLOGY  
COMMITTEE ON HB26-1210 PROHIBIT SURVEILLANCE PRICE & WAGE  
SETTING**

**April 21, 2026  
Awesta Sarkash  
Vice President, State Policy & Advocacy  
Small Business Majority**

Dear Chairwoman Danielson, and Members of the Committee:

My name is Awesta Sarkash and I'm the Vice President, State Policy & Advocacy for Small Business Majority, a small business advocacy organization with a mission to empower America's diverse entrepreneurs to build a thriving and equitable economy. I'm pleased to provide written testimony in support of HB26-1210, legislation that would prohibit discrimination against a consumer or worker through the use of a price or wage setting algorithm (PWSA), which would protect small businesses from an increasingly unlevelled playing field.

We urge you to help level the playing field for small firms by supporting legislation that blocks large businesses from using PWSAs to create individualized pricing that relies on surveillance data, thereby preventing companies from charging different consumers different prices for the same goods or services based on individualized profiling rather than demonstrated cost differences, time-based factors or publicly disclosed eligibility criteria for discounts.

Large corporations constantly collect information about consumers' locations, viewing habits, social networks, purchases, loans, what they pay attention to online and more. They are able to then run this consumer data through algorithms to set individualized price points, thereby rigging the market and gaining a substantial advantage over small businesses who cannot afford to implement such systems. Small businesses already struggle to compete with larger businesses. As technology that captures consumer behavior becomes increasingly sophisticated, the likelihood of surveillance pricing will increase without government regulation, giving larger businesses market dominance over smaller firms.

Small businesses need laws like HB26-1210 so they can compete on a level playing field. We urge you to support this commonsense approach to reign in unfair surveillance pricing that would yet again put small businesses at a disadvantage.

Sincerely,

Awesta Sarkash  
Vice President, State Policy & Advocacy  
Small Business Majority