

## Memorandum in Support of the One Fair Price Package

May 29, 2026

**Small Business Majority is a national organization that empowers America's diverse entrepreneurs to build a thriving and equitable economy. We have an office and operations in New York representing the 2.4 million small business owners in the state.**

Dear Members of the New York State Assembly,

Small Business Majority offers this Memorandum of Support for the One Fair Price Package because it needed to protect New York small businesses and consumers from harmful business practices. The One Fair Price Act A9349B/S8623 would ban surveillance pricing in New York while the Protecting Consumers and Jobs from Discriminatory Pricing Act A9396A/S.8616A would ban the use of electronic shelf labels and prohibit surveillance pricing in grocery stores and pharmacies.

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, rigging the market to charge consumers as much as possible for goods and services. As technology that captures consumer behavior becomes increasingly sophisticated, the likelihood of surveillance pricing will increase without government regulation.

Yet, individual consumers aren't the only ones at risk of being taken advantage of when surveillance pricing is used. After all, small businesses are also consumers that often need to purchase goods and services from larger corporations. Large suppliers can also capture their consumer behavior and use algorithms to set prices as high as small businesses will tolerate. Given that many small businesses already operate on thin margins, they have little room to absorb supply cost increases. Small businesses already don't compete on a completely even playing field, and surveillance prices allow dominant corporations to further increase their dominance over small businesses.

This bill package still preserves the discounts, coupons, loyalty programs and promotions that small businesses count on as consumers and in turn, offer to their own customers. Companies can still offer these deals; they're just prohibited from using hidden data profiles to charge some consumers more than others.

At a time when New Yorkers are already struggling with rising inflation and diminishing affordability, surveillance pricing drives up prices for small businesses and consumers. This bill package would ensure that New Yorkers see fair and consistent pricing online and in stores. The One Fair Price Package is an important step to restoring transparency so consumers can make informed choices, and we urge the legislature to pass these bills.