

BAN SURVEILLANCE PRICING

HB 2481/SB 6312

Large grocery corporations are beginning to use AI, algorithms, and consumer data to set prices. This tech uses data about a shopper — like where they live, what they've bought before, or when they shop — to decide what price *that individual* will pay, instead of charging everyone the same price.

THE PROBLEM

Working families are already experiencing sticker-shock at the grocery store. **Without rules, this technology allows companies to quietly charge different people different prices for the same essential items — increasing costs for working families, seniors, and anyone with fewer choices, while putting grocery workers in the middle.**



THE SOLUTION

The legislature should pass legislation (HB 2481/SB 6312) to ban surveillance pricing and surge pricing in large grocery stores to protect working families from price gouging and prevent this harmful technology from being implemented more broadly.

- **The time to act is now. Surveillance pricing is already being deployed – and costing working families.** An investigation by Consumer Reports found that this technology is real and its use is expanding. Another investigation by Groundwork Collaborative found that Instacart's secret use of algorithm pricing could raise grocery bills for some families as much as \$1,200 more a year.
- **Working families need predictability and transparency in order to budget appropriately.** Food is essential. People can't opt out of buying groceries, and grocery workers and families are already under pressure from rising costs. Working people shouldn't be blindsided by unexpected costs when budgets are already tight.
- **Surveillance pricing is making grocery workers' jobs harder.** Frontline grocery workers are bearing the brunt of customers' frustrations over surveillance pricing, despite having no say in the pricing decisions made by executives solely focused on maximizing profits. Grocery workers are already struggling emotionally seeing regulars unable to afford groceries they could comfortably purchase just a few years ago. Surveillance pricing makes that pain even worse.
- **Use of surveillance pricing tech by massive grocery companies puts smaller grocers at a competitive disadvantage.** It's expensive, and smaller grocery businesses don't have the capital to purchase the massive data sets required to make this tech work. When neighborhood grocers go out of business, working families suffer.

Citation: Consumer Reports, "Inside Kroger's Secret Shopper Profiles: Why You May Be Paying More Than Your Neighbors" (May, 2025); Groundwork Collaborative, "Same Cart, Different Price: Instacart's Price Experiments Cost Families at Checkout" (December, 2025)

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