



March 4, 2026

The Honorable Tim O'Driscoll
House Commerce Finance and Policy Committee
2nd floor, Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

The Honorable Erin Koegel
House Commerce Finance and Policy Committee
5th floor, Centennial Office Building
658 Cedar Street
St. Paul, MN 5515

RE: Small Business Majority support for HF 3794, Surveillance-based price and wage discrimination prohibited.

Dear Chair O'Driscoll, Chair Koegel and Members of the Committee:

My name is Awesta Sarkash and I am the Vice President, State Policy & Advocacy for Small Business Majority, a small business advocacy organization with a mission to empower America's entrepreneurs to build a thriving and equitable economy. Thank you for the opportunity to discuss HF 3794, legislation that would prohibit the use of surveillance pricing in connection with a consumer transaction.

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 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. Small businesses already don't compete on a level playing field, and surveillance prices are one way that powerful corporations can further increase their dominance over small businesses.

This legislation would help address future unfair and deceptive price discrimination that would harm both individual consumers and small businesses. It defines "surveillance pricing" as the selling or offering for sale of a good or service at a customized price for a specific consumer or group of consumers that is based, in whole or in part, on personal data that is collected through electronic surveillance technology, regardless of whether the seller collected or purchased the personal data.

Small businesses need laws like HF 3794 so they can compete on a level playing field. We urge you to support this commonsense approach to reining in unfair surveillance pricing that would exploit Minnesota's consumers and small businesses.

Sincerely,

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