

Jennifer Driscoll Discusses “Patchwork” of Laws Targeting Personalized Pricing

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In The News | 1 min read

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Hinshaw partner Jennifer Driscoll shared her insights in a recent *FTCWatch* article about the Federal Trade Commission’s (FTC) recent [proposed enforcement policy](#) targeting “personalized pricing”—a practice that uses consumer data to set individualized prices for shoppers. Jennifer said that the proposed statement “provides certainty to consumers and businesses as to what the minimum threshold is.”

Federal Legislation

At the federal level, the FTC has requested public feedback by September 25 on a proposed policy statement mandating “clear and conspicuous” disclosure of personalized pricing. However, it would not ban the use of consumer data to raise prices.

State Legislation

This issue has gained urgency as states move to address the personalized pricing practice. Maryland recently enacted legislation taking effect in October that prohibits food retailers and delivery providers from using consumer data to charge higher prices, making it one of the first states to target “dynamic” or “surveillance” pricing.

Jennifer compared the emerging regulation of personalized pricing to a similar “patchwork of state laws addressing data privacy, where some states are actively combating personalized pricing by enacting statutes targeting the practice, and other states are declining to address it with specific statutory provisions.”

[Read the full article](#)

- *FTCWatch*: “[Personalized pricing draws renewed FTC interest](#)” (September 8, 2026)

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