



May 11, 2026

The Honorable Jared Polis
Governor of Colorado
200 E. Colfax Avenue
Denver, Colorado 80203

Dear Governor Polis:

The U.S. Chamber of Commerce urges you to veto HB26-1210.

Guardrails can be appropriate when genuine regulatory gaps exist and when legislation is narrowly tailored to target demonstrable harms. However, HB26-1210 takes an overbroad approach that would create significant uncertainty for Colorado employers and consumer-facing businesses—and could disrupt routine, pro-consumer practices that Coloradans rely on every day.

HB26-1210 is drafted so broadly that it risks sweeping in commonplace, beneficial pricing and compensation tools. The bill would broadly prohibit pricing and wage offerings based on technological processes or formulae that use “surveillance data,” a term that is defined so expansively it can include vague and everyday consumer uses. That breadth makes it difficult for businesses to determine what is permitted, and it invites inconsistent interpretations and enforcement.

Algorithmic and technology-enabled pricing, when used responsibly, can help everyday consumers—especially those who are most price-sensitive—by enabling targeted discounts and tailored offers that make goods and services more accessible. It can also improve personalization and convenience by providing more relevant recommendations and promotions, including returning-customer discounts and loyalty and rewards benefits.

HB26-1210’s enforcement structure is also deeply concerning. The bill would allow for a private right of action, a mechanism that can encourage abusive litigation and impose outsized costs for unclear or technical compliance questions—rather than focusing enforcement on truly bad actors. In the Chamber’s view, these regimes work best when enforcement is vested in experienced public officials, with a compliance framework that encourages collaboration and clarity.

Colorado can address genuinely predatory conduct without adopting a sweeping prohibition that risks chilling innovation, disrupting beneficial personalization, and increasing legal uncertainty for employers operating in the State.

For these reasons, we respectfully request that you veto HB26-1210 and encourage a more targeted, risk-based approach developed with input from affected stakeholders.

Sincerely,

A handwritten signature in black ink that reads "Michael Richards". The signature is written in a cursive, slightly slanted style.

Michael Richards
Executive Director
Chamber Technology Engagement Center
U.S. Chamber of Commerce