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# Senate Majority Advances Legislation to Strengthen Consumer Impact Protections and Prevent Unfair Pricing Practices

(Albany, N.Y.) The Senate Democratic Majority today is advancing a comprehensive legislative package that aims to reduce costs for New Yorkers by prohibiting unfair and onerous pricing practices and subscription processes. We remain committed to reducing the financial burdens besetting families and consumers across the state by championing affordability and transparency measures, and by holding manufacturers and service providers accountable for their consumer impact.

This package includes legislation that would address discriminatory pricing practices by prohibiting the use of algorithms and device information in order to determine prices; promote consumer transparency by requiring no mandatory fees be hidden from the total advertised price of any good or service through the “New York Junk Fee Prevention Act,” and by obligating drug manufacturers to disclose pay-for-delay agreements under the “Manufacturer Disclosure and Transparency Act”; and allow consumers to cancel their subscription to a digital service directly through the mobile application by which that service is provided.

**Senate Majority Leader Andrea Stewart-Cousins** said, “At a time when many New Yorkers are still struggling to make ends meet and keep food on the table, we are advancing a package of practical, consumer-focused reforms designed to put money back in people’s pockets and crack down on unfair business practices. This package builds on the Senate Democratic Conference’s ongoing affordability efforts by addressing unfair pricing practices like pay-for-delay agreements, surprise fees, preferred pricing contracts, and hard to cancel subscriptions, which have exacerbated the cost of groceries, prescription medications, and other everyday goods and services for consumers. These proposals are focused on easing the financial burden on New Yorkers, strengthening oversight of abusive business practices, and preventing corporations from using misleading tactics to squeeze more money out of consumers. I thank today’s bill sponsors for their commitment to protecting New Yorkers and holding service providers more responsible for their consumer impact.”

**Senate Deputy Leader, and bill sponsor, Mike Gianaris** said, “As Americans struggle to afford basic necessities, corporations are collecting our personal data and charging exorbitant junk fees to extract every cent they can to pad their pockets. We cannot allow corporate abuse of New Yorkers, and that starts by addressing the predatory practice of surveillance pricing and deceptive fees. By requiring transparent and fair pricing we will create a more equitable economy for all.”

**Chair of the Consumer Protection Committee, and bill sponsor, Senator Rachel May** said, “Too many companies are exploiting New Yorkers with deceptive and predatory practices. That is unacceptable. The Senate Majority is taking action with a strong package of consumer protection legislation to crack down on corporate abuse and hold bad actors accountable. As Chair of the Consumer Protection Committee, I’m proud to sponsor two bills in this package, including a cap on excessive car rental fuel charges and protecting financial information after automatic-renewal cancellations. With these bills, we’re putting consumers ahead of corporate profits and stopping companies from exploiting hardworking people in Central New York. New Yorkers deserve fairness and protection from corporate greed, and that’s exactly what the Senate Majority is fighting for.”

The legislation being passed by the Senate Democratic Majority includes:

- **Establishes the “New York Junk Fee Prevention Act”:** This bill, [S.363A](#), sponsored by Senator Gianaris, would prevent hidden or deceptive fees from being added to the advertised price of goods and services.
- **Establishes the “Protecting Consumers and Jobs from Discriminatory Pricing Act”:** This bill, [S.8616A](#), sponsored by Senator Gianaris, would prohibit the use of electronic shelving labels, digital shelf display technology, and surveillance pricing in food retail establishments and drug retail establishments, preventing businesses from using algorithmic discriminatory pricing practices that unfairly impact consumers and workers.
- **Requires Deletion of Consumer Financial Information After Cancellation of Automatic Renewals or Continuous Services:** This bill, [S.4413A](#), sponsored by Senator May, would require businesses to delete a consumer’s financial information after cancellation of an automatic renewal or continuous service unless the consumer affirmatively consents to retention of such information. The bill would also require businesses to notify consumers once the information has been deleted.
- **Caps on Rental Vehicle Refueling Charges:** This bill, [S.5599](#), sponsored by Senator May, would place a cap on the amount a rental vehicle company may charge a renter for refueling a rental vehicle.
- **Enacts the “Consumer Grocery Pricing Fairness Act”:** This bill, [S.8563](#), sponsored by Senator Cleare, would establish an anti-trust regulatory framework governing the pricing practices of grocery suppliers and retailers, preventing large dominant retailers from using their market power to secure preferred pricing contracts over smaller competitors.
- **Enacts the “Manufacturer Disclosure and Transparency Act”:** This bill, [S.488A](#), sponsored by Senator Fernandez, would require prescription drug manufacturers to notify the Attorney General of arrangements between pharmaceutical manufacturers that result in delays to the introduction of generic medications.
- **Requires Subscription Cancellation Options on Mobile Applications:** This bill, [S.4391](#), sponsored by Senator Gounardes, would require mobile applications on cell phones, smartphones, and tablets that offer subscription services to provide users with an option to cancel their subscriptions directly through the application.
- **Prohibits Online Retailers from Basing Prices on Device Information or Geolocation:** This bill, [S.8483C](#), sponsored by Senator Ryan, would prohibit online

retailers from basing prices on the hardware, software, or geolocation of an online device, preventing discriminatory online pricing practices.

**Bill sponsor Senator Cordell Cleare** said, “Let’s face it; we had a problem well before ten-dollar eggs and we still have a problem today. The monopolistic grocery price fixing by the billionaire corporate 1% is not only a threat to freedom, fairness and capitalism but to the health and well-being of those who simply want to shop for the products that make their family healthy and happy. Independent grocers and their legions of customers are being taken advantage of, and our bill will add equity, fairness and sanity back into a system that sorely needs it.”

**Bill sponsor Senator Nathalia Fernandez** said, “Transparency and competition are essential to lowering prescription drug costs for New Yorkers. Pay-for-delay agreements allow drug manufacturers to benefit while consumers are left paying higher prices and waiting longer for lower-cost generic medications. The Manufacturer Disclosure and Transparency Act brings these arrangements into the light, strengthens accountability, and helps ensure that affordable medications can enter the market without unnecessary delay.”

**Bill sponsor Senator Andrew Gounardes** said, “New Yorkers deserve straightforward, honest business practices when they’re using mobile apps, but too many tech companies are forcing them into Pan’s Labyrinth just to unsubscribe from a service. This is a classic digital hustle, and it’s time to put a stop to it. My bill requires mobile apps to let users cancel subscriptions through the app itself, the same way they signed up. Easy, fair, no nonsense — the way it should be.”

**Bill sponsor Senator Chris Ryan** said, “This legislation sends a clear message that consumers deserve fairness and transparency online. Companies should not be allowed to charge people different prices simply because of the device, its software, or where they are located. Hidden algorithmic pricing practices undermine trust and unfairly target consumers without their knowledge. I’m proud to see this bill included in this package as part of our broader effort to crack down on deceptive practices and put consumers first.”

**President of Local 338 RWDSU/UFCW John R. Durso** said, “If you talk to union members and working people, the top issue on their mind is rising prices and their concerns about affordability. We applaud the State Senate for passing a commonsense package of bills aimed at protecting New Yorkers and their wallets, including ‘Protecting Consumers and Jobs from Discriminatory Pricing Act.’ This bill will take steps to protect consumers from surge pricing and greedflation on the everyday essentials we need at our local grocery stores and pharmacies. Businesses simply shouldn’t be able to spike prices because they know customer spending patterns with or without algorithmic pricing. We should be doing everything we can to relieve the economic pressures on working people, and we look forward to this bill passing the full Legislature and the Governor signing it into law.”

**Deborah Wright, National Political Director RWDSU/UFCW** said, “New Yorkers should be able to shop for groceries without worrying if the price will change before they reach the checkout line. Corporations should not use hidden, unchecked algorithms to pick-the-pockets of working families; a computer code should never have the power to decide what a New Yorker can afford. By passing this package of consumer protection bills, which includes the banning of

discriminatory ‘surveillance pricing’, algorithmic electronic shelf labeling and elimination of hidden fees, the NYS Senate is ensuring that the price on the shelf is no longer a moving target. We thank Senate Majority Leader Andrea Stewart-Cousins, Deputy Leader Michael Gianaris, and Senate Consumer Protection Chair May for their vision and for keeping New York’s economy human-centric.”

**Rob Newell, President UFCW Local 1500** said, “New Yorkers are struggling to afford basic necessities and corporations want to use our personal data to extract every possible dollar through predatory technologies like Electronic Shelf Labels and surveillance pricing. S.8616A and the good consumer protection bills in this package show what the government can do when it works for people and not for corporations.”

**Executive Director of NY StateWide Senior Action Council Maria Alvarez** said, “We commend the NYS Senate for putting forth a set of consumer protection bills designed to protect New Yorkers of all ages, especially older New Yorkers. Passage of these bills will promote a secure environment where seniors will be able to age in their communities at more affordable rates with safety measures that can only benefit all.”

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