

HB26-1210

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Richardson

1 Amend the Business Affairs and Labor Committee Report, dated March  
2 12, 2026, page 6, after line 8 insert:

3 **"6-1-1904. Enforcement - limitation - definition.**

4 (1) (a) A VIOLATION OF THIS PART 19 OCCURS ONLY WHEN A  
5 PERSON KNOWINGLY USES SURVEILLANCE DATA IN A MANNER THAT  
6 RESULTS IN MATERIAL ECONOMIC HARM TO A CONSUMER OR WORKER OR  
7 THAT CONSTITUTES AN UNFAIR OR DECEPTIVE PRACTICE AS DEFINED IN  
8 THIS ARTICLE 1.

9 (b) AS USED IN THIS SUBSECTION (1), "MATERIAL ECONOMIC  
10 HARM" MEANS A NONTRIVIAL MONETARY OR COMPENSATION-RELATED  
11 IMPACT THAT IS NOT DE MINIMIS AND THAT RESULTS IN A MATERIALLY  
12 DIFFERENT PRICE OR WAGE FOR SIMILARLY SITUATED INDIVIDUALS.

13 (2) A VIOLATION SHALL NOT BE FOUND FOR INADVERTENT OR  
14 ISOLATED USE OF SURVEILLANCE DATA WHERE THE PERSON HAS  
15 IMPLEMENTED AND MAINTAINED REASONABLE POLICIES AND PROCEDURES  
16 DESIGNED TO COMPLY WITH THIS PART 19.

17 (3) THE ATTORNEY GENERAL RETAINS AUTHORITY TO ENFORCE  
18 VIOLATIONS UNDER THIS ARTICLE 1, CONSISTENT WITH THE LIMITATIONS  
19 SET FORTH IN THIS SECTION."

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