

# HB33 • Kentucky

AN ACT relating to data privacy.

Introduced

Risk: Medium

Amendment

Last Action (Jan 13, 2026): to Small Business & Information Technology (H)

## Summary

The bill amends KRS 367.3611 and KRS 367.3617 to define key terms and prohibit offering, setting, or displaying a price using an automated-decision system based on individualized data, including a prohibition on 'surveillance pricing'.

## Business Impact

If you operate in Kentucky and use AI for pricing, you must cease surveillance pricing practices by January 1, 2024, or face penalties.

## Key Provisions

- Defines 'automated-decision system' and related terms.
- Prohibits offering, setting, or displaying a price using an automated-decision system based on individualized data, including 'surveillance pricing'.
- Applies to all controllers under the Kentucky Consumer Data Protection Act.

## Compliance Checklist

- Review and update pricing strategies to eliminate surveillance pricing. | Who: Controllers under the Kentucky Consumer Data Protection Act | Penalty: Potential penalties for non-compliance
- Ensure all automated-decision systems comply with the new definitions and prohibitions. | Who: Businesses using automated-decision systems | Penalty: Potential penalties for non-compliance

## Industries Affected

E-commerce

Law Enforcement

Technology

Retail

Consumer Protection

# Topics

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AI Privacy

AI in Law Enforcement

# Bill Sponsors

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Name	Party	Role
C. Harris		Primary
B. McCool		Primary
J. Miller		Primary
J. DuPlessis		Primary
R. Huff		Primary
C. Miller		Primary
R. Palumbo		Primary
J. Richards		Primary
S. Westrom		Primary
J. Raymond		Primary
M. Cantrell		Primary
K. Flood		Primary

# Official Source

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<https://apps.legislature.ky.gov/record/26RS/hb33.html>

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