

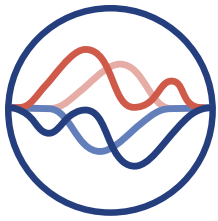


**Computer & Communications
Industry Association**

Open Markets. Open Systems. Open Networks.

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2026

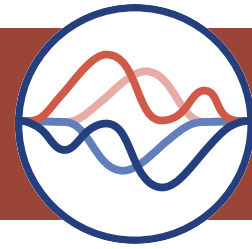


State Landscape Competition



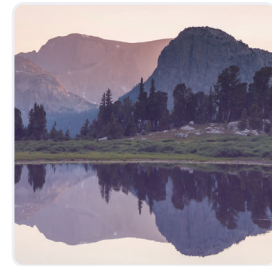
2026 State
Landscapes

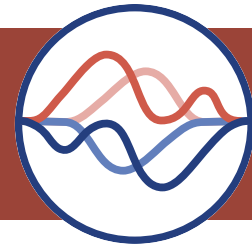
Competition



State Landscapes 2026

Each year, the Computer & Communications Industry Association (CCIA) State Policy Center releases policy overviews outlining major trends across the 50 state legislatures, highlighting key states active in competition policy. Competition is a fundamental driver of innovation in dynamic technology markets, driving companies to benefit consumers through new products and better services. However, state-level interventions in this space risk creating a patchwork of competition regulations that may increase compliance costs and chill investment. CCIA advocates for smart, well-targeted antitrust enforcement based on sound economic analysis, emphasizing consumer welfare over protecting competitors. Monitoring state legislative trends is crucial for preparing future policy engagements, particularly as states borrow or adopt legislation that could potentially threaten the digital market ecosystem.





Competition

Introduction

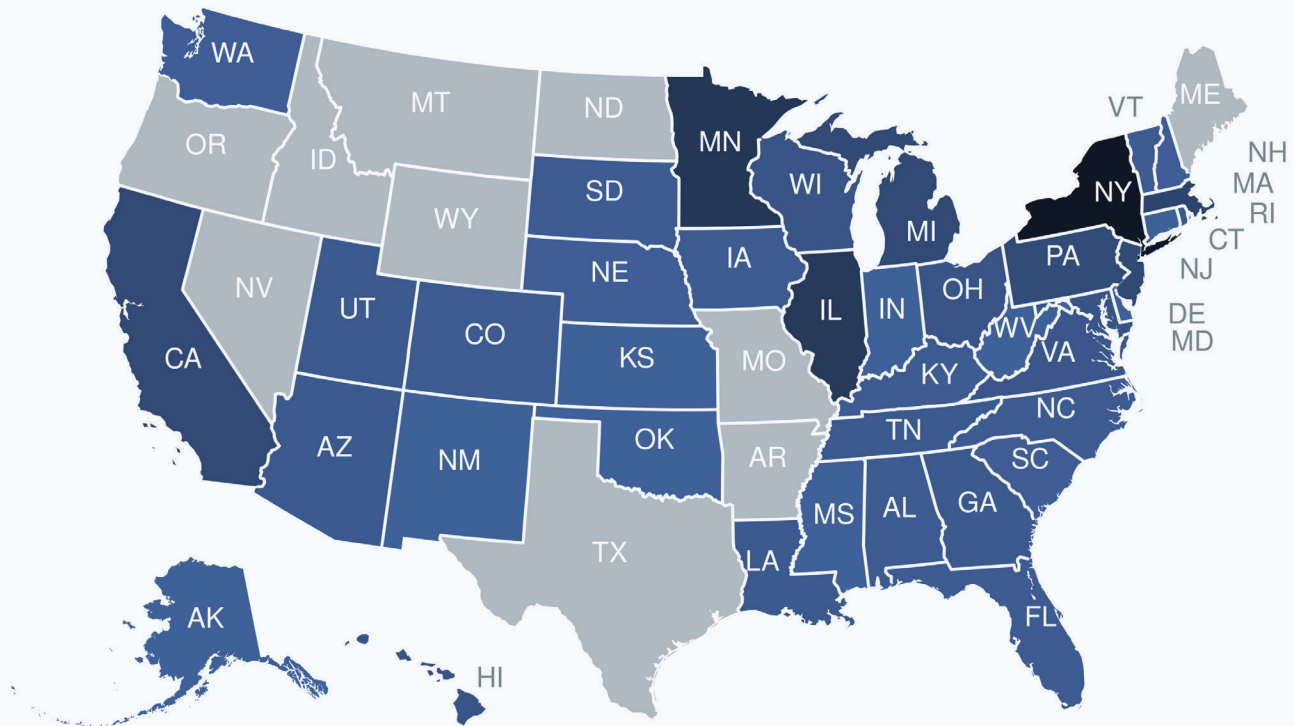
The internet is characterized by extremely low barriers to entry and vibrant competition among market participants. Furthermore, many companies operating in digital ecosystems often operate with so-called multi-sided business models. To ensure that digital innovation continues to play a positive role in the economy, sound competition policy and antitrust enforcement must play a crucial role in fostering competition across markets.

CCIA believes in smart, well-targeted antitrust enforcement that recognizes different market realities supported by sound economic analysis. As such, regulators must be cognizant of choke points where market characteristics lead to competition problems. Given the vast differences in technology markets, CCIA's positions on antitrust cases are not ideological but case-specific and fact-driven.

CCIA encourages competition authorities to continue allocating resources to understand the market dynamics that govern the internet, ensuring that enforcement actions address anticompetitive behavior that undermines innovation and consumer welfare. Similarly, CCIA intervenes, on a case-by-case basis, in those processes aimed at clarifying the antitrust norms applicable to companies operating on the internet, providing the industries' viewpoints to the benefit of consumers.



State Competition Landscape 2026



*Includes carryover legislation from 2025 and new legislation in 2026.
Data current through 9/30/2026.*

Legislation regulating personalized pricing was the defining trend of the year, with Maryland, Connecticut, and New Jersey each enacting restrictions in this area. Maryland moved first, and CCIA heavily engaged in these efforts. California continued to lead the nation on antitrust reform generally. Governor Newsom signed [AB 325](#), targeting algorithmic price-fixing, and [SB 763](#), increasing Cartwright Act penalties, into law in October 2025, then signed [SB 25](#), a broad premerger notification requirement, in February 2026.

The most consequential measure of the year was [AB 1776](#), the COMPETE Act, introduced in February 2026 by California Assembly Majority Leader Cecilia Aguiar-Curry. AB 1776 extends the Cartwright Act to single-firm conduct for the first time in the statute's

history. As part of our advocacy, CCIA joined a business coalition led by the California Chamber of Commerce to oppose the bill throughout the session, publishing successive [economic](#) and [legal](#) analyses as the text evolved. After a series of narrowing amendments, including removal of the bill's private right of action, AB 1776 passed both chambers of the Legislature in late August 2026. Governor Newsom signed AB 1776 on September 30, 2026, and it takes effect on January 1, 2027.

Meanwhile, New York's Twenty-First Century Antitrust Act ([S.335](#)), which passed the Senate in June 2025, carried over into the 2026 session and remains pending in the Assembly Economic Development Committee.



Types of Competition Measures

1 Antitrust

Legislation targeting firms with significant market power that engage in practices deemed to harm competition, such as abuse of dominance, exclusive contracts, or unfair pricing strategies, has often been modeled after European-style regulations, such as the Digital Markets Act, that prioritize preventing market dominance over promoting consumer welfare. New York's Twenty-First Century Antitrust Act ([S.335](#)) remains the leading example of this approach. Similarly, California's [AB 1776](#) extends Cartwright Act enforcement to single-firm conduct for the first time. AB 1776 will also enact liability standards that depart significantly from federal antitrust law and judicial precedent.

Examples:

- New York [S.335](#) (carries over to the 2026 session, pending in the Assembly)
- California [AB 1776](#), the COMPETE Act (Governor Newsom signed AB 1776 on September 30, 2026, and it takes effect on January 1, 2027)

Impact:

These measures set vague dominance and single-firm conduct standards, in some cases paired with heightened penalties, that create significant compliance challenges. AB 1776 was repeatedly narrowed over the session. The enacted law reinstates a "substantial market power" requirement, applies a rule-of-reason standard, exempts qualifying California small businesses and certain state-authorized exclusive franchises, and removes the private right of action for the new single-firm provisions, limiting that enforcement to the Attorney General and district attorneys.

CCIA's Research Center tracked these changes across three analyses, estimating the bill's ten-year cost to California's economy. CCIA's research modeled the costs from roughly \$1 trillion in April, to \$760 billion in June, and \$670 billion in the August versions of the bill. While the amendments reduce the magnitude of the costs, they fail to resolve the bill's core problems. The bill still decouples California antitrust enforcement from federal precedent; bars cross-market balancing of competitive effects in a way that is consequential for multi-sided platforms; and directs courts to interpret the statute liberally in favor of deterrence.

2 Personalized Pricing and Price Discrimination

A fast-growing category of state legislation targeting the use of data, automation, and artificial intelligence in setting consumer prices. Some bills restrict competitor-informed "common pricing algorithms" as a form of price-fixing; others go further, restricting or requiring disclosures for any individualized, "algorithmic," "dynamic," "personalized" or "surveillance-based" pricing, regardless of whether competitors are involved. Definitions and legal standards of what constitutes personalized pricing vary significantly between states.

Examples:

- Maryland [HB 895](#), the Protection From Predatory Pricing Act (signed April 28, 2026, Chapter 154, effective Oct. 1, 2026)
- Connecticut and New Jersey (both enacted personalized pricing restrictions in 2026)
- New York's [One Fair Price Act](#) (passed the Legislature June 2026, pending action by the Governor)
- California [AB 325](#) (signed October 2025, effective Jan. 1, 2026)
- Maryland [HB 148](#) and [HB 1475](#) (did not advance out of committee)
- Colorado's governor [vetoed HB26-1210](#), a personalized pricing bill, in June 2026



Personalized Pricing and Price Discrimination

Impact:

CCIA opposed the Maryland measures, which, as introduced, relied on broad definitions of “personalized data” and “dynamic pricing” that risked sweeping in routine, welfare-enhancing retail practices such as loyalty discounts, inventory-based markdowns, and time-of-day pricing on perishable goods. CCIA’s main arguments in each filing were that using pricing tools to exclude competitors or exploit a dominant position is already unlawful under existing state and federal law, and that duplicative legislation creates legal uncertainty that deters firms from competing on price. CCIA urged lawmakers to limit these bills to individualized price increases measured against a baseline price, to align “personal data” with the Maryland Online Data Privacy Act, and to vest enforcement exclusively in the attorney general.

[HB 895](#) was narrowed considerably before passage, and the enacted law addresses several of the concerns CCIA and other stakeholders raised. It applies only to food retailers operating establishments of at least 15,000 square feet and to third-party food delivery providers, reaches only price increases directed at a specific consumer or group of consumers, preserves discounts, loyalty programs, and promotional pricing, exempts standard pricing factors such as supply and demand, geography, and seasonality, provides 45 days to cure alleged violations, and contains no private right of action. Enforcement runs through the Maryland Consumer Protection Act. The law restricts largely procompetitive data-informed pricing practices, and the states that followed took even broader approaches. Connecticut’s law reaches retail sellers generally rather than food retailers alone, and adds a consumer-facing disclosure requirement.

As states develop differentiated legal definitions, liability standards, enforcement procedures, and jurisdictional scope, the risk of regulatory fragmentation increases, which can adversely impact cross-state businesses. Personalized pricing has also attracted federal scrutiny. In August 2026, the Federal Trade Commission requested public comment on a proposed [enforcement policy statement](#) regarding personalized pricing. The statement outlines situations in which a firm’s failure to disclose the use of personal data in price setting may violate Section 5 of the FTC Act, which prohibits unfair and deceptive practices. This further adds to the growing complexity and legal uncertainty surrounding the governance of personalized pricing practices at the state and federal levels.

Merger and Acquisition Reporting Requirements

Regulations requiring businesses to notify state authorities of mergers or acquisitions, typically in addition to required federal filings under the federal Hart-Scott-Rodino (HSR) Act, seek to enhance state oversight of transactions that may raise competitive concerns.

Examples:

- California [SB 25](#) (signed February 10, 2026; effective January 1, 2027)
- Washington [SB 5122](#) (enacted, effective July 27, 2025).

Impact:

California’s [SB 25](#) makes it the third state, after Washington and Colorado, to adopt a broad, industry-agnostic “mini-HSR” premerger notification regime, requiring parties that file a federal HSR notification to also submit that filing to the state attorney general. Indiana advanced its own version of the Uniform Law Commission’s model act in 2026. As more states adopt these requirements, businesses could face dozens of duplicative filings for a single transaction. CCIA has repeatedly underscored how these laws create redundant regulatory burdens that increase costs and chill investment.





CCIA Actions on State Competition Live Legislative Testimonies

Maryland SB 387

February 2026

CCIA [testified before the Maryland Senate Finance Committee](#) on SB 387, cautioning that the bill as drafted risked sweeping in routine retail strategies that help lower prices and reduce waste, and urging lawmakers to distinguish harmful personalized-based pricing from common dynamic pricing practices.

Maryland HB 895 and HB 1475

March 2026

State Policy Director Megan Stokes [testified before the Maryland House Economic Matters Committee](#) on HB 895 and HB 1475, as part of testimony on six bills, asking that legislation be enforced by the attorney general rather than through private rights of action.



CCIA Actions on State Competition Economic and Legal Analysis



Rushed COMPETE Act Could Cost California \$1 Trillion in GDP and 1.6 Million Jobs in 10 Years

The full report is available [here](#).

CCIA's Research Center published an economic analysis estimating that AB 1776, as amended in March, could cost California \$67 billion in GDP and 180,000 jobs in its first year, growing to roughly \$1 trillion in GDP and 1.6 million jobs by year ten (April 2026).



Amended California Bill AB 1776 Still Costs \$760 Billion and 1.2 Million Jobs Over a Decade

The revised analysis is available [here](#).

CCIA's Research Center published a revised analysis of the Assembly-passed text, finding the amendments lowered the central estimate by about a quarter, to roughly \$760 billion in foregone GDP and 1.2 million jobs by year ten (June 2026).



Amended AB 1776 Would Still Cost California \$670 Billion and Risk a Fiscal Squeeze Caused by Reduced Startup Values

The revised analysis is available [here](#).

CCIA's Research Center published a further updated analysis following the early-August amendments, estimating a central cost of roughly \$670 billion in foregone annual GDP by year ten, and examining how reduced startup exit values could cost the state as much as \$8.6 billion in lost tax revenue over a decade (August 2026).



Amended California Bill AB 1776 Still Costs \$760 Billion and 1.2 Million Jobs Over a Decade

The legal analysis is available [here](#).

CCIA published a legal analysis arguing that AB 1776's amendments worsened its flaws, including constitutional concerns with a small-business exemption limited to California-headquartered firms with California-domiciled officers.



CCIA Actions on State Competition Written Comments and Letters

Maryland HB 148 – “Surveillance-Based Price and Wage Setting”

February 2026

CCIA submitted [comments opposing Maryland HB 148](#), the “Surveillance-Based Price and Wage Setting” bill, warning that its broad definition of “surveillance data” would sweep in standard retail pricing and loyalty tools.

Maryland SB 387 – “Protection From Predatory Pricing Act”

February 2026

CCIA submitted [comments opposing Maryland SB 387](#) unless amended, the “Protection From Predatory Pricing Act,” recommending a narrower “surveillance pricing” definition, alignment with the Maryland Online Data Privacy Act, and removal of the bill’s private right of action.



Maryland HB 895 – “Protection From Predatory Pricing Act”

March 2026

CCIA submitted [comments opposing Maryland HB 895](#), the “Protection From Predatory Pricing Act,” unless amended, the House companion to SB 387.

Maryland HB 1475 – “Consumer Pricing – Dynamic Pricing Disclosure and Prohibition on Rent Setting”

March 2026

CCIA submitted [comments and redline amendments opposing Maryland HB 1475](#), which would mandate dynamic-pricing disclosures and prohibit algorithmic rent-setting, urging lawmakers to target only individualized price increases and to remove the private right of action.

Maryland SB 387 – “Protection From Predatory Pricing Act”

March 2026

CCIA submitted a [follow-up letter opposing Maryland SB 387](#) as it moved to the House Economic Matters Committee, acknowledging amendments made in the Senate Finance Committee while continuing to raise concerns about its reach into routine retail pricing strategies.

California AB 1776 – “COMPETE Act”

March 2026

CCIA joined a [CalChamber-led business coalition letter opposing California AB 1776](#), the COMPETE Act, arguing the bill as then drafted was an unsupported “cost driver” that would expand the Cartwright Act to single-firm conduct with no market-share threshold and reject established federal antitrust standards.

2027 Legislative Outlook

Although California’s AB 2564 failed to pass in the 2026 session, personalized pricing is likely to be among the most active competition issues of the 2027 sessions. With Maryland, Connecticut, and New Jersey now on the books and New York’s [One Fair Price Act](#) awaiting action, states have multiple templates to borrow from, and the divergence among them is the core compliance problem for firms operating

nationally. CCIA will continue to press for definitions limited to individualized price increases, protection for discounts and loyalty programs, alignment with existing state privacy law, and attorney general enforcement rather than private rights of action. CCIA will continue to advocate for balanced policies that prioritize consumer welfare and innovation, and will continue to engage with policymakers.

