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UNITED STATES SENATOR *for* ARIZONA

One Fair Price Act of 2025 Section by Section

SEC. 1 — Short Title

SEC. 2 — Prohibition on Surveillance-Based Price Setting

- Makes it unlawful for a company to charge different prices to different consumers for the same product or service based on surveillance data.
- Allows for different prices if they are justified by reasonable costs associated with providing a product or service to different consumers, as long as the basis for the difference in costs is disclosed prior to purchase.
- Allows for “bona fide discounts” to consumers who belong to a broadly defined group – like teachers, veterans, senior citizens, or students – provided that the eligibility criteria are publicly disclosed and consistently applied to all eligible consumers, and defines “bona fide discount” as a price that is lower than a genuine, non-fictitious price that is widely offered to the public on a regular basis and for a reasonably substantial period of time.
- Allows for bona fide discounts to consumers who sign up for a loyalty program, so long as loyalty points or any similar non-monetary system of value are worth the same amount to each consumer in the loyalty program.
- Clarifies that the bill does not apply to insurance or credit products, while ensuring that it does apply to telecommunication carriers, nonprofits, and airlines.
- Provides the Federal Trade Commission (FTC) with authority to enforce the bill and to issue rules or guidance in furtherance of enforcement, and directs the FTC to consider rules that ease the burden of compliance for small businesses.
- Provides state attorneys general with authority to enforce compliance, obtain monetary damages, and any other relief the court deems appropriate.
- Provides a private right of action for individuals to enforce compliance, obtain monetary damages, and any other relief the court deems appropriate.
- States that defendants are presumed to be in violation of the Act if two or more individuals were offered different prices during a similar period of time, or one individual was offered different prices by the defendant while using different means to view the price, and allows defendants to rebut the presumption.
- Directs the FTC and Small Business Administration (SBA) to study the impact of this bill on small businesses and promoting competition between large and small corporations.
- Definitions

SEC. 3 — Application of Prohibition on Surveillance-Based Price Setting to Air Carriers and Ticket Agents

- Allows the Department of Transportation to enforce provisions of this Act for air carriers, foreign air carriers, or ticket agents.
- Notes that this section does not preempt action for civil damages or restrict authority of a government entity, including attorneys general, from bringing a legal claim for any violation.