

**Testimony of Commissioner Samuel A.A. Levine
New York City Department of Consumer and Worker Protection**

**Before the Committee on Consumer and Worker Protection
Oversight Hearing on Surveillance and Dynamic Pricing
and Introductions 891, 892, and 813**

June 17, 2026

Introduction

Good morning, Chair Epstein, and members of the Committee on Consumer and Worker Protection. My name is Sam Levine, and I am the Commissioner of the Department of Consumer and Worker Protection (DCWP). I am joined by our Chief of Staff, Carlos Ortiz, and Associate General Counsel, Andrew Schwenk. Thank you for the opportunity to testify before the committee today on these bills.

Protecting New Yorkers

The NYC Department of Consumer and Worker Protection (DCWP) is the nation's leading municipal enforcement agency, charged with delivering economic justice. DCWP leverages its authority to bring New Yorkers real economic relief and protect them from predatory, deceptive, and unfair practices that violate their rights as consumers and workers. This includes pioneering cutting-edge protections, such as the City's Consumer Protection Law, Protected Time Off Law, Fair Workweek Law, and Delivery Worker Laws, including the Minimum Pay Rate for delivery workers. Through licensing more than 45,000 businesses in over 45 industries, DCWP ensures fair competition and a level playing field for responsible small businesses that are integral to New York City's vibrant communities. DCWP also provides essential services such as free tax preparation and financial counseling to ensure New Yorkers keep more of what they earn and can plan for their futures. DCWP is committed to making sure New York City is a fairer, more affordable place to live.

Championing Consumers against Surveillance and Dynamic Pricing

Let me now turn to the subject of today's hearing – dynamic and surveillance pricing. I commend the Speaker and Majority Leader for these bold steps to ensure New York remains a leader when it comes to protecting consumers from emerging pricing abuses. This is an issue I care about deeply – over the last two years, I have launched federal studies, published reports, and testified before the U.S. Senate on the threat these practices pose. Yet, as with so many issues facing American consumers today, the federal government is asleep at the wheel. That is why these bills – which would arm New Yorkers with the strongest safeguards in America – are so critical.

The fact is, large corporations are getting ever-better at ripping us off. If you listen carefully to what executives are telling investors these days, they are often boasting about their ability to jack up prices to the maximum each consumer is willing to pay – what some investors are calling the “Holy Grail” of pricing. It is wrong, it is deeply unpopular, and thanks to the work of this body, it can soon be illegal in the City of New York.

And let's be clear. Surveillance and dynamic pricing practices are not just a threat to affordability. Companies today are collecting vast amounts of data on consumers – not only our purchases but our internet searches, our location, our ethnicity, and even data to infer our intelligence. This data can then be sold to data brokers and placed on the market for anyone to purchase. Last month, I was deeply concerned – but hardly surprised – to read [reporting](#) that ICE is now looking to purchase commercial data to track our immigrant neighbors.¹ It is becoming clearer and clearer that reforms are necessary not only to protect fair pricing but also our privacy and civil rights.

Finally, these practices also undermine small businesses, many of whom are already struggling. Surveillance and dynamic pricing create a race to the bottom, where firms compete over how much data they can collect from consumers in order to maximize their profits. Small businesses, in contrast, cannot collect vast reams of data, or spend millions to implement dynamic or surveillance pricing. This pattern threatens to further undermine small businesses already struggling to compete with corporate giants. For all these reasons, we applaud the Council's leadership in protecting both New York City consumers and small businesses from these unfair, unconscionable practices.

Introduction 891

Turning to the specifics of today's legislation, Introduction 891 would prohibit any person that sells, leases, or rents goods or services, whether online or offline, from engaging in surveillance pricing. DCWP supports Introduction 891. Surveillance pricing has no place in New York City. Prices should not be differentiated from one person to the next based on personal data like where they live, work, or their online history. We thank the Speaker for this historic and much-needed legislation, and we look forward to working to strengthen consumer protections to prevent predatory and exploitative business practices like surveillance pricing. Specifically, we'd like to work with Council on adding a private right of action to this bill to ensure that consumers have the proper tools to identify and respond to violations. We also think it is important to ensure that any personal data collected to administer discount programs is used only for such discount program and not for any harmful purpose, such as to increase prices for other consumers or to be sold to third-party data brokers.

Introduction 892

Introduction 892 would prohibit grocery stores from increasing the price of any item more than once in a 24-hour period. DCWP supports Introduction 892. Pricing is critical for New Yorkers' affordability issues, and we need to ensure we are proactively and effectively anticipating changes in the marketplace to ensure consumers are protected. We also have recommendations to share to strengthen the provisions of this bill with additional recordkeeping requirements and we look forward to working with Council on this legislation.

Introduction 813

Introduction 813 would allow DCWP to refuse to renew, suspend, or revoke a tobacco retailer dealer (TRD) license upon a finding that the licensee violated sections of the NYS Cannabis Law. We support the goal of this bill and look forward to working with council through the legislative process.

¹ <https://www.politico.com/news/2026/05/30/ice-immigration-privacy-data-advertising-00939078>

Conclusion

Thank you for the opportunity to testify before your committee on today's legislation. We look forward to working with the Council to consistently advance the strongest consumer protections in the country. I welcome any questions you may have for further discussion.