
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 1883 (Bryan) - Workplace surveillance tools

Version: July 2, 2026

Policy Vote: P., D.T., & C.P. 8 - 1, L., P.E.
& R. 4 - 1

Urgency: No

Mandate: No

Hearing Date: August 3, 2026

Consultant: Bob Franzoya

Bill Summary: AB 1883 would regulate the use of workplace surveillance tools by both public and private employers.

Fiscal Impact: Estimated \$2.6 million in FY 2026-27, \$2.5 million annually thereafter to the Division of Labor Standards Enforcement within the Department of Industrial Relations. The Labor Commission, as chief of the DLSE, enforces wage laws and retaliation laws whereas this bill will require regulating employer conduct. (Labor Enforcement and Compliance Fund)

Potentially significant costs to the courts to adjudicate new penalties depending on the numbers of employers charged and the factors unique to each case. An eight-hour court day costs approximately \$10,500 based on the hourly rate of court personnel including at minimum the judge, clerk, bailiff, court reporter, jury administrator, administrative staff, and jury per-diems. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources. The FY 2026-27 Budget appropriated \$70 million General Fund for this purpose (Trial Court Trust Fund, General Fund).

Likely minor, if any, costs to state entities found using workplace surveillance tools for prohibited purposes. (Special funds, General Fund)

Background: This bill regulates employers use of “workplace surveillance tools,” specified tools that collect or facilitate the collection of worker data, activities, communications, actions, biometrics, or behaviors by means other than direct observation by a person. This includes video or audio surveillance, continuous incremental time-tracking tools, and geolocation. Employers are prohibited from using a workplace surveillance tool on workers to carry out certain actions or make certain inferences.

The Labor Commission is the chief of the Division of Labor Standards Enforcement. When workplace violations are found the Labor Commissioner can If violations are found, the commissioner can impose penalties on employers. These may include:

- Fines for noncompliance
- Restitution for unpaid wages or benefits
- Suspension or revocation of business licenses

The Labor Code Private Attorneys General Act authorizes employees to file lawsuits to recover civil penalties on behalf of themselves, other employees, and the State of California for Labor Code violations

Proposed Law: This bill regulates employers use of “workplace surveillance tools,” specified tools that collect or facilitate the collection of worker data, activities, communications, actions, biometrics, or behaviors by means other than direct observation by a person. This includes video or audio surveillance, continuous incremental time-tracking tools, and geolocation. Employers are prohibited from using a workplace surveillance tool on workers to carry out certain actions or make certain inferences.

The Labor Commissioner shall enforce this part of the Labor Code, including investigating an alleged violation, and ordering appropriate temporary relief to mitigate a violation or maintain the status quo pending the completion of a full investigation or hearing, including issuing a citation against an employer who violates this part and filing a civil action. This part of the Labor Code may also be enforced by a public prosecutor.

A worker, or their exclusive representative, who has suffered a violation may bring a civil action in a court of competent jurisdiction for damage caused by the violation.

In any civil action brought, the petitioner may seek appropriate temporary or preliminary injunctive relief, including punitive damages, and reasonable attorney’s fees and costs.

An employer charged with a violation may be subject to a penalty of up to \$500 for each violation.

Related Legislation: AB 1898 (Schultz) would require an employer to notify a worker of the employer’s use of a workplace artificial intelligence (AI) tool. AB 1898 was held on the Assembly Appropriations Committee’s suspense file.