

Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 1130 (Reyes) – As Amended June 25, 2026

Policy Committee:	Public Safety	Vote:	7 - 2
	Privacy and Consumer Protection		8 - 2

Urgency: No State Mandated Local Program: Yes Reimbursable: No

SUMMARY:

This bill regulates wearable recording devices, such as AI-enabled smart glasses, by prohibiting recording without consent in areas of businesses where a person has a reasonable expectation of privacy, and by prohibiting the manufacture, sale, acquisition, and use of technology that disables recording indicators.

More specifically, this bill:

- 1) Makes operating a wearable recording device to capture sound or video of another person, in any area within a place of business where the person has a reasonable expectation of privacy, without that person's explicit consent, a misdemeanor punishable by imprisonment of up to one year in county jail, a fine of up to \$1,500 per violation, or both.
- 2) Makes disabling any light, sound, or other indicator on a wearable recording device that indicates the device is capturing sound or video a misdemeanor with the same penalties.
- 3) Prohibits the manufacture, sale, delivery, holding, or offering for sale of a wearable recording device without an indicator sufficiently prominent to alert a reasonable person in the vicinity to the recording activity.
- 4) Prohibits the manufacture, sale, purchase, acquisition, or use of technology designed for the primary purpose of, marketed primarily for, or likely primarily used for disabling a recording indicator, and subjects a person who knowingly violates these provisions to a civil penalty of up to \$2,500 per violation.
- 5) Specifies that recording a public officer or peace officer in a public place, or from a place the person has a right to be, does not by itself constitute a violation, reasonable suspicion to detain, or probable cause to arrest.
- 6) Exempts law-enforcement body-worn cameras used in the course of official duties and hearing aids, augmentative and alternative communication devices, and similar devices used to overcome a hearing impairment or communication disorder.
- 7) Adds the new crime to the statutes exempting specified law enforcement personnel from the wiretapping and eavesdropping prohibitions and to the recidivist penalty provisions of the existing unlawful recording statutes.

FISCAL EFFECT:

Potential court cost pressures of an unknown, but potentially significant amount (Trial Court Trust Fund (TCTF), General Fund). This bill creates a new misdemeanor and new civil penalty provisions, each of which may generate additional criminal filings and civil actions. Because new Penal Code Section 632.8 is added to the Invasion of Privacy Act, existing Penal Code Section 637.2 authorizes any person injured by a violation to bring a civil action for the greater of \$5,000 per violation or three times actual damages, together with injunctive relief, and does not require the plaintiff to have suffered actual damages. Actual costs would depend on the number of violations prosecuted, the volume of civil actions filed, and the court time required per action. Operating a courtroom generally costs approximately \$1,000 per hour. Although courts are not funded on the basis of workload, increased pressure on the TCTF may create a demand for increased funding for courts from the General Fund. The state budget provides annual General Fund backfills to the TCTF to offset revenue reductions, totaling approximately \$117.3 million in 2025-26.

COMMENTS:

1) **Purpose.** According to the author:

Devices such as smart glasses and other body-worn recording devices are becoming more common in everyday life. While innovation should be welcomed, it must not come at the expense of Californians' fundamental right to privacy. . . . SB 1130 modernizes California law to address these emerging concerns.

2) **Background.** Wearable recording devices, including AI-enabled smart glasses such as Ray-Ban Meta Smart Glasses, closely resemble ordinary eyewear while containing cameras, microphones, and AI systems capable of recording and processing information in real time. Manufacturers have incorporated indicator lights to alert bystanders to active recording, but products that obscure or disable those indicators — from dark stickers to hardware modifications — are actively offered for sale, in some cases for as little as \$60. Reported incidents include surreptitious recording of a customer during a waxing appointment, recordings of restaurant and retail workers posted online without consent, and influencer accounts built on covert recordings of women in public. Meta reportedly sold several million smart-glass units in 2025 and is reportedly seeking to produce 20 to 30 million units by the end of 2026.

Existing law makes wiretapping and recording confidential communications without all-party consent a crime, and makes secretly recording an identifiable person in a state of undress in specified private areas a misdemeanor, but these statutes were written with traditional technologies in mind and do not squarely address passive, continuously capturing wearable devices. This bill adds a new Penal Code section 632.8 to the existing wiretapping and eavesdropping scheme and a new civil chapter to the Business and Professions Code.

Opponents, led by TechNet, argue the definition of wearable recording device is overbroad and could sweep in headsets, earpieces, and action cameras; that the undefined terms “operate” and “reasonable expectation of privacy” create liability uncertainty, including for manufacturers; and that the “primary purpose” standard for anti-circumvention technology is unworkable for retailers and distributors.