
UNFINISHED BUSINESS

Bill No: SB 1130
Author: Reyes (D)
Amended: 8/26/26
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 5-1, 3/24/26

AYES: Arreguín, Caballero, Cortese, Pérez, Wiener

NOES: Seyarto

SENATE PRIV., DIGITAL TECH. & CONS. PROT. COMMITTEE: 7-2, 4/20/26

AYES: Cabaldon, Gonzalez, McNerney, Padilla, Reyes, Umberg, Wiener

NOES: Jones, Seyarto

SENATE APPROPRIATIONS COMMITTEE: 5-2, 5/14/26

AYES: Cervantes, Cabaldon, Grayson, Richardson, Wahab

NOES: Seyarto, Dahle

SENATE FLOOR: 30-8, 5/27/26

AYES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener

NOES: Alvarado-Gil, Choi, Grove, Jones, Niello, Seyarto, Strickland, Valladares

NO VOTE RECORDED: Dahle, Ochoa Bogh

ASSEMBLY FLOOR: Passed, 8/30/26

SUBJECT: Invasion of privacy: wearable recording devices

SOURCE: Author

DIGEST: This bill makes it a misdemeanor to operate a wearable recording device to capture sound or video of any other person in any area within a place of business where the person has a reasonable expectation of privacy, except as

provided; prohibits a person from using any technology to permanently or temporarily disable any light, sound, or other indicator on a wearable recording device that indicates that the device is capturing sound or video; prohibits a person or entity from manufacturing, selling, delivering, or holding any technology that enables a person to disable any light, sound, or other indicator on a wearable recording device that indicates that the device is capturing sound or video; and prohibits a person from purchasing, acquiring, or trading that technology.

Assembly Amendments prohibit a person or entity from manufacturing, selling, delivering, holding, or offering for sale a wearable recording device without a light, sound, or other indicator that is sufficiently prominent so that a reasonable person in the vicinity would be alerted to the recording activity; define the term “capture”; exempt peace officer body cameras and other communication devices from the provisions of this bill; and generally exempt assistive technology such as hearing aids from this bill.

ANALYSIS:

Existing law:

- 1) Makes it a wobbler for any person to intentionally tap or make any unauthorized connection into a telephonic communication system (wiretapping) without the consent of all parties. (Penal (Pen.) Code, § 631, subdivision (subd.) (a).)
- 2) Makes it a wobbler for a person to, intentionally and without the consent of all parties to a confidential communication, use an electronic amplifying and recording device to eavesdrop upon or record the confidential communications. (Pen. Code, § 632, subd. (a).)
- 3) Makes it a wobbler for a person to, maliciously and without the consent of all parties to the communication, intercept, receive, or assist in intercepting or receiving a communication transmitted between cell phones or between any cell phone and a landline phone. (Pen. Code, § 632.5, subd. (a).)
- 4) Makes it a wobbler for a person who, without the consent of all of the parties to a communication, intercepts or receives and intentionally records, or assists in the interception or reception and intentional recordation of, a communication transmitted between two cell phones, a cell phone and a landline phone, two

cordless phones, a cordless phone and a landline phone, or a cordless phone and a cell phone. (Pen. Code, § 632.7, subd. (a).)

- 5) Exempts specified law enforcement officers or any person acting pursuant to the direction a law enforcement officers acting within the scope of their authority from the wiretapping, eavesdropping, and unlawful recording statutes. (Pen. Code, §§ 633, subd. (a), 633.1, subd. (a).)
- 6) Makes it a misdemeanor for a person to use a concealed camcorder, motion picture camera, or photographic camera of any type, to secretly videotape, film, photograph, or record by electronic means, another identifiable person who may be in a state of full or partial undress, for the purpose of viewing the body of, or the undergarments worn by, that other person, without the consent or knowledge of that other person, in the interior of a bedroom, bathroom, changing room, fitting room, dressing room, or tanning booth, or the interior of any other area in which that other person has a reasonable expectation of privacy, with the intent to invade the privacy of that other person. (Pen. Code, § 647, subd. (j)(3)(A).)

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.

Background

Smart glasses are eyewear that can correct vision and offer additional features not present in traditional eyewear, including camera functions for photography and video recording, AI capabilities, and integration with other devices. (Hornby, *What are smart glasses? Yesteryear's 'next big thing' is finally finding an audience* (Jul. 10, 2024). <<https://www.laptopmag.com/gaming/vr/what-are-smart-glasses> .)

Although smart glasses have existed for years, they began to gain popularity following Meta's release of its Ray-Ban Stories product in 2021. (Hector, *The Ray-Ban Meta smart glasses are majorly popular, which is exciting and frightening in equal measure* (Oct. 21, 2024) <<https://www.techradar.com/computing/virtual-reality-augmented-reality/the-ray-ban-meta-smart-glasses-are-majorly-popular-which-is-exciting-and-frightening-in-equal-measure> .)

The increased popularity of these products and the ability to surreptitiously record others has received a significant amount of attention in recent months. (See Greenwald, *Are You Being Secretly Recorded by Smart Glasses? Here's How to Tell* (Mar. 4, 2026) <<https://www.pcmag.com/explainers/are-you-being-secretly-recorded-by-smart-glasses-heres-how-to-tell> ; Dellinger, *Dear Meta Smart Glasses Wearers: You're Being Watched, Too* (Mar. 3, 2026) <<https://gizmodo.com/dear-meta-smart-glasses-wearers-youre-being-watched-too-2000728928> ; Chun, *How to Tell if Someone Is Filming You With Smart Glasses* (Mar. 15, 2026) <<https://www.cnet.com/tech/mobile/how-to-identify-smart-glasses/> ; Fortney, *Dinner Is Being Recorded, Whether You Know It or Not* (Feb. 16, 2026) <<https://www.nytimes.com/2026/02/16/dining/meta-ray-ban-glasses-restaurants.html> .)

One notable anecdote involved an individual who realized that her esthetician was wearing smart glasses with recording capabilities during a waxing appointment. (Prada, *Woman Accuses Tech of Wearing Meta*

Recording Glasses During Her Brazilian Wax (Sept. 2, 2025)

<<https://www.vice.com/en/article/woman-accuses-tech-of-wearing-meta-recording-glasses-during-her-brazilian-wax/> .)

This bill seeks to address privacy concerns related to surreptitious recordings using devices such as smart glasses, and contains two major components. The first component prohibits operating a wearable recording device to capture sound or video of any other person in any area within a place of business where the person has a reasonable expectation of privacy unless the person operating the device has the explicit consent of that person to capture sound or video of that person, and prohibits a person from disabling any light or other device on a wearable recording device that indicates that the device is capturing sound or video. The second component prohibits the manufacture and sale of any technology that enables a person to disable any light or other device on a wearable recording device that indicates that the device is capturing sound or video, and prohibits the purchase and acquisition of that technology. This bill includes criminal and civil penalties.

FISCAL EFFECT: Appropriation: No Fiscal Com.:Yes Local:Yes

According to the Assembly Appropriations Committee:

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.

SUPPORT: (Verified 8/28/26)

California Civil Liberties Advocacy
California Federation of Labor Unions, AFL-CIO
CFT – a Union of Educators & Classified Professionals, AFT, AFL-CIO
Consumer Reports
Oakland Privacy

OPPOSITION: (Verified 8/28/26)

Cal Chamber
Cal Grocers Association
California Retailers Association
Computer and Communications Industry Association
TechNet

Prepared by: Stephanie Jordan / PUB. S. /
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