

## California Enacts Privacy Legislation Regarding Smart TV Voice-Recognition Features

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California Governor Jerry Brown recently signed into law several requirements for manufacturers of smart TVs with voice-recognition features. A.B. 1116 prohibits operation of a smart TV's voice recognition feature without first prominently informing the user of the feature during initial setup or installation. Conversations recorded by a smart TV also cannot be sold or used for any advertising purpose—regardless of whether a consumer consents. The legislation provides that a state attorney general or district attorney may prosecute any manufacturer that fails to comply and seek both injunctive relief and a civil penalty of up to \$2,500 per violation. The bill does not provide for a private right of action, although commentators have noted that consumers may still bring a case based on existing statutory or common law privacy protections. The law goes into effect on January 1, 2016.

**TIP: Manufacturers of smart TVs should take note and ensure their products comply with this new legislation prior to its effective date.**

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